SAN FRANCISCO PUBLIC LIBRARY
3 1223 10055 5631

San Francisco Public Library

Government Information Center
San Francisco Public Library
100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK

Not to be taken from the Library

Digitized by the Internet Archive
in 2015

https://archive.org/details/motion2002sanf

3 1223 10055 5631

41 Library
100 Larkin Street Govt Information Center

FILE NO. 012229 MOTION NO. M02-1

[Board Off-site Meetings]

Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board Of Education, 555 Franklin Street, First Floor, San Francisco, on January 16, 2002, at 3:00 P.M. and directing the Clerk of the Board to prepare the proper notices and postings.

WHEREAS, In the November 1993 election, Proposition O was passed by the voters of San Francisco to allow committee meetings of the San Francisco Board of Supervisors to be held outside of City Hall; and

WHEREAS, The 1996 Charter Section 2.103 continued to allow meetings of the San Francisco Board of Supervisors committees to be held outside of City Hall; and

WHEREAS, The Board of Supervisors on January 22, 2001, adopted Rule 5.9 of its Rules of Order which created the City and School District Committee to hear measures concerning issues of mutual interest that affect the City and School District, its employees, its students, and the families of its students, including the issue of the public use of the School District facilities; and

WHEREAS, The Board of Education on June 22, 1999 adopted Rule 5.6, Policy No. P120, creating the City and School District Committee with the same purpose as cited above and stating the City and School District Committee shall be comprised of two members of the Board of Supervisors and two members of the Board of Education; and,

WHEREAS, At the October 27, 1999 meeting of the City and School District Committee, it was decided to hold quarterly meetings at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First floor, San Francisco at 3:00 p.m.; now, therefore, be it

**Supervisor Ammiano **
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JAN 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby order that the January 16, 2002, meeting of the City and School District Committee be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First floor, San Francisco at 3:00 p.m.; and be it,

FURTHER MOVED, That the Clerk of the Board of Supervisors is directed to prepare the necessary notices and postings pursuant to Charter Section 2.103.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 012229 **Date Passed:** January 7, 2002

Motion ordering the City and School District Committee meeting of the Board of Supervisors to be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on January 16, 2002, at 3:00 P.M. and directing the Clerk of the Board to prepare the proper notices and postings.

January 7, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 012229

I hereby certify that the foregoing Motion was APPROVED on January 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gregoire Hobson
Acting Clerk of the Board

FILE NO. 012233

File Copy
Do Not Remove

MOTION NO. M02-2

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT.

JAN 16 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 012233 **Date Passed:** January 7, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

January 7, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 012233

I hereby certify that the foregoing Motion was APPROVED on January 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gregoire Hobson
Acting Clerk of the Board

FILE NO. 012257 File Copy Do Not Remove MOTION NO. M02-3

[Motion To Hold Public Hearing On Adopting A Resolution Of Necessity For Eminent Domain Action]

Motion directing the Board of Supervisors to hold a public hearing on January 14, 2002, at 3:00 p.m., to consider adopting a Resolution of Necessity in connection with a proposal to acquire by by eminent domain a temporary construction easement on easterly portions of 155 Fifth Street in Assessor's Block 3724, Lot 066, in San Francisco, for completing construction of the Moscone Center Expansion Project.

WHEREAS, The Department of Public Works has proposed the acquisition of a temporary construction easement for easterly portions of 155 Fifth Street, in Assessor's Block 3724, Lot 066 ("the Burdened Property"), by the City and County of San Francisco for completing construction of the Moscone Center Expansion Project ("the Project"); and,

WHEREAS, Section 1245.235 of the Code of Civil Procedure requires that a public hearing be held by the full Board of Supervisors to make a finding that there is or is not a public interest and necessity for the City and County of San Francisco to acquire the temporary construction easement on the Burdened Property, that the temporary construction easement is planned and located in a manner that will be most compatible with the greatest public good and the least private injury, that the temporary construction easement sought to be acquired is necessary for the project and that the City has made the offer required by California Government Code Section 7267.2 to the owner and lessee of record of the property; now, therefore, be it

MOVED, That it is the intention of this Board of Supervisors to hold a public hearing of the full Board of Supervisors to consider adopting a resolution to acquire the temporary construction easement by eminent domain; and be it

DOCUMENTS DEPT.

JAN 16 2002

SAN FRANCISCO PUBLIC LIBRARY

FURTHER MOVED, This public hearing is being set in such a manner that a minimum of fifteen (15) days notice shall be given to each person whose name and address appears on the last equalized San Francisco County assessment roll notice for the Burdened Property on which the temporary construction easement is to be acquired; and, be it

FURTHER MOVED, Said public hearing is to be held in accordance with Section 1245.235 of the Code of Civil Procedure and notice is hereby given that on the 14th day of January, 2002, beginning at 3:00 p.m., the Board of Supervisors will hold such public hearing; and, be it

FURTHER MOVED, At the public hearing, each person whose name and address appears on the last equalized county assessment role notice for the Burdened Property on which the temporary construction easement is to be acquired and who has filed a written request to appear within fifteen (15) days after the notice was mailed to them by first class mail may appear and be heard at the public hearing on whether the public interest and necessity require the City and County of San Francisco to acquire the subject temporary construction easement, the temporary construction easement is planned or located in the manner that will be most compatible with the greatest public good and least private injury, the temporary construction easement sought to be acquired is necessary for the Project, and the City has made the offer required by California Government Code Section 7267.2 to the owner and lessee of record of the Burdened Property. The procedure requires that the resolution to acquire the temporary construction easement by eminent domain be made by a two-thirds vote of all the members of the Board of Supervisors present or not; and, be it

FURTHER MOVED, A do pass or not pass vote of the Resolution captioned "AUTHORIZING ACQUISITION OF A TEMPORARY CONSTRUCTION EASEMENT FOR EASTERLY PORTIONS OF 155 FIFTH STREET, ALL IN SAN FRANCISCO ASSESSOR'S BLOCK 3724, LOT 066, BY EMINENT DOMAIN, FOR THE MOSCONE CENTER EXPANSION PROJECT," on file with the Clerk of the Board of Supervisors in File No. 012238, which is hereby declared to be a part of this motion as if set forth fully herein, is to be made at the close of the public hearing.

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 012257 **Date Passed:** January 7, 2002

Motion directing the Board of Supervisors to hold a public hearing on January 14, 2002, at 3:00 p.m., to consider adopting a Resolution of Necessity in connection with a proposal to acquire by by eminent domain a temporary construction easement on easterly portions of 155 Fifth Street in Assessor's Block 3724, Lot 066, in San Francisco, for completing construction of the Moscone Center Expansion Project.

January 7, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 012257

I hereby certify that the foregoing Motion was APPROVED on January 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gregoire Hobson
Acting Clerk of the Board

FILE NO. 020038

FILE COPY
DO NOT REMOVE

MOTION NO. M02-4

[Final Map for a 105 Unit Residential / Commercial Condominium Project]

Motion approving Final Map of The Brannan – Tower "C" (239 Brannan Street), a Residential / Commercial Condominium Project, being a subdivision of Lot 517, Assessor's Block No. 3789, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of The Brannan – Tower "C" (239 Brannann Street), A Residential / Commercial Condominium Project", being a subdivision of Lot 517, Portion of Assessor's Block No. 3789, comprising 9 sheets, approved the 9th day of January, 2002 by Department of Public Works Order No. 173,335, be and the same is hereby approved and adopted as the Official Map of "The Brannan - Tower "C" (239 Brannan Street), A Residential / Commercial Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated July 25, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1. The proposed development is a component of the overall Rincon Point/South Beach Redevelopment Project Area, by its letter dated March 23, 2001.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 020038 **Date Passed:** January 14, 2002

Motion approving Final Map of The Brannan - Tower "C" (239 Brannan Street), a Residential / Commercial Condominium Project, being a subdivision of Lot 517, Assessor's Block No. 3789, and adopting findings pursuant to City Planning Code Section 101.1.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Gonzalez, Newsom, Yee

File No. 020038

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020039 MOTION NO. M02-5

[Final Map for a 10 Unit Live/Work Condominium Project]

Motion approving Final Map of 1025 17th Street, a Live/Work Condominium Project, being a subdivision of Lot 23, Assessor's Block No. 3987, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1025 17th Street, a Live/Work Condominium Project", being a subdivision of Lot 23, Portion of Assessor's Block No. 3987, comprising 6 sheets, approved the 9th day of January, 2002 by Department of Public Works Order No. 173,332, be and the same is hereby approved and adopted as the Official Map of 1025 17th Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letters dated September 29, 1998 and also by a notice of approval of revisions dated October 10, 2000, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO PUBLIC LIBRARY

Department of Public Works
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020039 **Date Passed:** January 14, 2002

Motion approving Final Map of 1025 17th Street, a Live/Work Condominium Project, being a subdivision of Lot 23, Assessor's Block No. 3987, and adopting findings pursuant to City Planning Code Section 101.1.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Gonzalez, Newsom, Yee

File No. 020039

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020044 MOTION NO. M02-6

[Final Map for a 7 Unit Residential Condominium Project]

Motion approving Final Map of 798 Stanyan Street, A Residential Condominium Project, being a subdivision of Lot 38, Assessor's Block No. 1250, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 798 Stanyan Street, A Residential Condominium Project", being a subdivision of Lot 38, Portion of Assessor's Block No. 1250, comprising 4 sheets, approved the 2nd day of January, 2002 by Department of Public Works Order No. 173,328, be and the same is hereby approved and adopted as the Official Map of 798 Stanyan Street, A Residential Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated June 11, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020044 **Date Passed:** January 14, 2002

Motion approving Final Map of 798 Stanyan Street, A Residential Condominium Project, being a subdivision of Lot 38, Assessor's Block No. 1250, and adopting findings pursuant to City Planning Code Section 101.1.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Gonzalez, Newsom, Yee

File No. 020044

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020045 MOTION NO. M02-7

[Final Map for a 6 Unit Residential Condominium Project]

Motion approving Final Map of 188 Beulah Street, A Residential Condominium Project, being a subdivision of Lot 39, Assessor's Block No. 1250, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 188 Beulah Street, A Residential Condominium Project", being a subdivision of Lot 39, Portion of Assessor's Block No. 1250, comprising 4 sheets, approved the 2nd day of January, 2002 by Department of Public Works Order No. 173,327, be and the same is hereby approved and adopted as the Official Map of 188 Beulah Street, A Residential Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated May 22, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020045 **Date Passed:** January 14, 2002

Motion approving Final Map of 188 Beulah Street, A Residential Condominium Project, being a subdivision of Lot 39, Assessor's Block No. 1250, and adopting findings pursuant to City Planning Code Section 101.1.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Gonzalez, Newsom, Yee

File No. 020045

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 012285 MOTION NO. M02-8

[Affirm certification of New M.H. de Young Museum EIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the New M.H. de Young Museum Development Project located at 75 Tea Garden Drive.

WHEREAS, The New M.H. de Young Museum (the "Project") is proposed to be constructed at the museum's existing site at 75 Tea Garden Drive in the Music Concourse of Golden Gate Park, Lot 1 in Assessor's Block 1700, after demolition of the eight existing buildings comprising the M.H. de Young Museum and the Asian Art Museum and relocation of the Asian Art Museum to its new facility in the City's Civic Center; and,

WHEREAS, The Corporation of the Fine Arts Museums of San Francisco submitted its application for environmental review of the proposed New de Young Museum on July 12, 1999 (City Planning File No. 1999.455E); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") determined that an Environmental Impact Report ("EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on May 6, 2000; and

WHEREAS, On July 22, 2000, the Department published the Draft Environmental Impact Report ("DEIR") for the Project; and

WHEREAS, On August 24, 2000, the Commission held a duly noticed public hearing on the DEIR, at which time opportunity for public comment was received on the DEIR, and written comments were received through August 24, 2000; and

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Draft Summary of Comments and Responses on November 22, 2000; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, On December 7, 2000, the Commission reviewed and considered the FEIR and, by Motion No. 16039, found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 16039, the Commission found the FEIR to be adequate, accurate and objective, reflected the independent judgment and analysis of the Department and the Commission and that the Summary of Comments and Responses contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated with the Project and certified the completion of the FEIR in compliance with CEQA and the State CEQA Guidelines; and

WHEREAS, A challenge to the FEIR and the process by which the FEIR was certified was brought and the San Francisco Superior Court issued a Writ of Mandamus on August 2, 2001 requiring the Board of Supervisors to hear an appeal of the FEIR in compliance with CEQA; and

WHEREAS, The Board of Supervisors held a public hearing on August 20, 2001 to review the decision by the Planning Commission to certify the FEIR, and the Corporation of

the Fine Arts Museums (COFAM) stated that it had discovered a discrepancy in the height of the proposed Educational Tower analyzed in the FEIR, and the height actually proposed for the tower, which affected the visual and shadow impact analyses of the FEIR, and COFAM and the Planning Department asked the Board of Supervisors to remand the FEIR back to the Planning Department and Planning Commission to correct those errors; and

WHEREAS, At the August 20, 2001 hearing, the Board disapproved the certification of the FEIR and remanded the FEIR to the Planning Commission, and the Board's findings in Board Motion M01-127 directed the Planning Commission and Planning Department to revise the FEIR to include corrections and related environmental analysis, as may be appropriate under CEQA, on the following issues: (1) errors and discrepancies in the shadow impacts analysis relative to the height of the Tower; (2) errors and discrepancies in the visual impacts analysis relative to the height of the Tower; (3) updating and correcting the Project Description relative to the height of the tower and to other information now available regarding the proposed Project design; and (4) broadening and correcting the description and related impacts analysis of the Project environmental setting relative to existing and potentially qualified historic resources, already addressed on FEIR pages C&R.80 - C&R.82; and

WHEREAS, The Final EIR now includes minor text changes to reflect the updated information on the project description in the following sections: the Summary; the Project Description; and, the Visual Quality and Shadow Impact Analyses contained in Chapter III; and

WHEREAS, The Final EIR has also been amended to include expanded information about the cultural resources in the area and includes additional text in Chapter III A, Land Use, Plans and Zoning, to include a specific reference to the cultural resources in the area, and The Responses to Comments, pages C&R 67 – C&R 85H, include expanded information about cultural resources based upon *An Evaluation of the Potential Effect of the Proposed*

New de Young Museum on the Golden Gate Park Historic District (Report), a report prepared by Page & Turnbull, historic architectural consultants; and

WHEREAS, The Report's conclusions are consistent with the conclusions in the Initial Study and the conclusions in the December 2000 Final EIR that the Project would not adversely affect the eligibility of Golden Gate Park for listing as a potential National Register Historic District, or the Japanese Tea Garden or Spreckels Temple of Music as potential National Register listings; and

WHEREAS, The revised sections of the Final EIR were published and made available to the Planning Commission, the Board of Supervisors and the public on November 20, 2001; and

WHEREAS, The revisions do not add significant new information to the December 2000 FEIR or change the conclusions reached in the December 2000 FEIR; the revisions update the text to reflect changes in the Project and to provide additional information about cultural resources, and the Board of Supervisors affirms the Planning Commission's determination in Motion No. 16291 that recirculation of the document is not required because the revisions do not identify any of the following:

- A new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented;
- A substantial increase in the severity of an environmental impact unless mitigation measures are adopted to reduce the impact;
- A feasible project alternative or mitigation measure considerably different from others previously analyzed clearly lessening the significant environmental impacts of the project, but the project proponents decline to adopt it;
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded; and

WHEREAS, The revisions to the December 2000 Final EIR do not identify new or substantially more severe environmental impacts, do not identify new mitigation measures or identify any new alternatives to the Project, and the information on cultural resources expands upon information contained in the December 2000 FEIR but does not identify any significant environmental impact on cultural resources, nor does it alter the conclusions of the December 2000 FEIR.

WHEREAS, On December 6, 2001, the Planning Commission reviewed and considered the revised Final EIR and found in its Motion No.16291 that the contents of said report and the procedures through which the Final EIR was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines and Chapter 31, and the revised Final EIR reflects the independent judgment and analysis of the City and County of San Francisco, that the revised Final EIR is adequate, accurate and objective, and that the Summary of Comments and Responses contains no significant revisions to the Draft Environmental Impact Report, and certified the completion of the revised Final EIR in compliance with CEQA and the CEQA Guidelines; and

WHEREAS, the Final EIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Planning Commission and the public; these files are available for public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before the Board of Supervisors; and

WHEREAS, this Board has reviewed and considered the revised Final EIR and heard testimony and received public comment regarding the adequacy of the revised Final EIR; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Planning Commission in its Motion No. 16291 to certify the revised Final EIR and finds the revised Final

EIR to be complete, adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 012285 **Date Passed:** January 14, 2002

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the New M.H. de Young Museum Development Project located at 75 Tea Garden Drive.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

File No. 012285

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 012267 MOTION NO. M02-9

[Zoning Appeal]

Motion disapproving approving decision of the Planning Commission by its Motion No. 16287, approving Conditional Use Application No. 2000.1190C, on property located at 2801-2825 California Street, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission by its Motion No. 16287 adopted November 15, 2001, approving Conditional Use Application No. 2000.1190C, to mount a total of three panel antennas on the roof of an existing three-story over basement mixed use building, within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at:

2801-2825 California Street, southwest corner at Divisadero Street;

Lot 001, in Assessor's Block 1028,

be and the same is disapproved.

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 012267 **Date Passed:** January 14, 2002

Motion disapproving decision of the Planning Commission by its Motion No. 16287, approving Conditional Use Application No. 2000.1190C, on property located at 2801-2825 California Street, and adopting findings pursuant to Planning Code Section 101.1.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

File No. 012267

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 012268 MOTION NO. M02-10

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2000.1190C, on property located at 2801-2825 California Street, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2000.1190C on property located at 2801-2825 California Street, for action by the Board at its next meeting.

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 012268 **Date Passed:** January 14, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2000.1190C, on property located at 2801-2825 California Street, for action by the Board at its next meeting.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 012268

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 012274 MOTION NO. M02-11

[Appointment]

Motion approving the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for the term ending January 15, 2005.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Ann Moller Caen to the Public Utilities Commission, received by the Clerk of the Board on December 18, 2001; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's appointment to the Public Utilities Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for the term ending January 15, 2005.

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 012268 **Date Passed:** January 14, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2000.1190C, on property located at 2801-2825 California Street, for action by the Board at its next meeting.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 012268

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 012274 MOTION NO. M02-11

[Appointment]

Motion approving the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for the term ending January 15, 2005.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Ann Moller Caen to the Public Utilities Commission, received by the Clerk of the Board on December 18, 2001; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's appointment to the Public Utilities Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for the term ending January 15, 2005.

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 012274 **Date Passed:** January 14, 2002

Motion approving the Mayor's appointment of Ann Moller Caen to the Public Utilities Commission, for the term ending January 15, 2005.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

File No. 012274

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 012277 MOTION NO. M02-12

[Appointment]

Motion approving the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission, for the term ending January 15, 2004.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Jeffrey A. Chen to the Public Utilities Commission, received by the Clerk of the Board on December 18, 2001; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's appointment to the Public Utilities Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission, for the term ending January 15, 2004.

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 012277 **Date Passed:** January 14, 2002

Motion approving the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission, for the term ending January 15, 2004.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

File No. 012277

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020034 MOTION NO. M02-13

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

[Rules of Order; Committees]

Amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing Sections 5.1 through 5.10 and replacing them with new Sections 5.1 through 5.9, thereby creating a new committee structure of the Board.

Moved, That the Board of Supervisors of the City and County of San Francisco does hereby repeal Sections 5.1 through 5.10 and replace them with new Sections 5.1 through 5.9 of its Rules of Order, operative February 1, 2002, as follows:

5. Committees

5.1 Finance Committee. The Finance Committee shall be referred appropriation ordinances, and measures concerning bond issues, taxes, fees and other revenue measures, labor agreements, redevelopment, and real estate.

5.2 Public Works and Public Protection. The Public Works and Public Protection Committee shall be referred measures concerning utilities, public works, infrastructure, public protection, delinquency prevention, and emergency services.

5.3 Transportation and Commerce. The Transportation and Commerce Committee shall be referred measures concerning transportation, the Municipal Railway, planning, land use, economic development, employment and training, small business preservation, tourism, and consumer protection.

5.4 Health and Human Services. The Health and Human Services Committee shall be referred measures concerning public health, the environment, rent control, housing subsidy and preservation programs, homeless services, seniors, the disabled, children and their families, general assistance, discrimination and human rights.

SUPERVISOR TOM AMMIANO

5.5 Neighborhood Services and Recreation. The Neighborhood Services and Recreation Committee shall be referred measures concerning neighborhood beautification, Golden Gate Park, neighborhood parks, after school programs, city recreation and cultural programs.

5.6 Rules and Audits Committee. The Rules and Audits Committee shall be referred measures concerning appointments, ballot measures and ballot arguments (except concerning bond issues), Charter amendments, Grand Jury reports, amendments to the Administrative Code, audits of City departments and agencies, claims, litigation, and rewards. The Rules and Audits Committee shall:

5.6.1 Maintain a direct and separate line of communication between the Board and the City and County's independent auditor;

5.6.2 Meet with the independent auditor to review the audited annual financial statement and the auditor's report on such matters as the quality and depth of management and compliance;

5.6.3 Recommend appropriate action to be taken by the Board to implement recommendations contained in the audit report;

5.6.4 Follow up, as necessary, to ensure that approved recommendations are promptly implemented;

5.6.5 Review recommendations of the Controller and of the Budget Analyst contained in their performance audits and management audits; and

5.6.6 Perform other duties as assigned by the Board.

5.7 City and School District Committee. The City and School District Committee shall be referred measures concerning issues of mutual interest that affect the City and the School District, its employees, its students, and the families of its students, including the issue of the public use of School District facilities.

5.8 Budget Committee. The Budget Committee shall be referred the annual appropriation and annual salary ordinances. The Budget Committee shall have jurisdiction to meet between March 1 of each year and the date the annual appropriation and annual salary ordinances are adopted by the Board of Supervisors.

5.9 Fiscal Committees. In accordance with Administrative Code Section 2.6-3 concerning fiscal impact, the Finance Committee shall be a "fiscal committee" of the Board, the Budget Committee shall be a "fiscal committee" of the Board for purposes of considering the annual appropriation and annual salary ordinances, and the other committees of the Board, solely for the purpose of considering grants to the City within their subject areas, shall also be considered "fiscal committees."

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020034 **Date Passed:** January 14, 2002

Motion amending Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing 5.1 through 5.10 and replacing them with new Sections 5.1 through 5.9, thereby creating a new structure of the Board.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Gonzalez, Newsom, Yee

File No. 020034

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020035 MOTION NO. M02-14

[Board of Supervisors Committee Structure.]

Motion suspending Rules regarding reference to Committee of amendment to the Rules of Order, Board of Supervisors relating to Committee structure.

MOVED, That the Board of Supervisors hereby suspends pursuant to Rule 4.37 the requirement of Rule 4.38 that amendment to the Rules of Order be referred to the Rules Committee for hearing and recommendation so that the Board may consider for immediate adoption without reference to committee the proposed amendment to the Rules of Order repealing Section 5.1 through 5.10 and replacing them with Section 5.1 through 5.9 creating a new committee structure of the Board.

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisor Ammiano
BOARD OF SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 020035 **Date Passed:** January 14, 2002

Motion suspending Rules regarding reference to Committee of amendment to the Rules of Order, Board of Supervisors, relating to Committee Structure.

January 14, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 3 - Gonzalez, Newsom, Yee

File No. 020035

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 012278 MOTION NO. M02-15

[Appointment]

Motion rejecting the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Jeffrey A. Chen to the Public Utilities Commission, received on December 18, 2001; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's appointment to the Public Utilities Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby rejects the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission.

DOCUMENTS DEPT.
FEB - 6 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 012278 **Date Passed:**

Motion rejecting the Mayor's appointment of Jeffrey A. Chen to the Public Utilities Commission.

File No. 012278

I hereby certify that the foregoing Motion was APPROVED on January 14, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020060 MOTION NO. M02-16

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020060 **Date Passed:** January 22, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

January 22, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

File No. 020060

I hereby certify that the foregoing Motion was APPROVED on January 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020089 MOTION NO. M02-17

[Final Map for a 21 Unit Mixed Use Condominium Project]

Motion approving Final Map of 3338 17th Street, a Mixed Use Condominium Project, being a subdivision of Lot 91, Assessor's Block No. 3569, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 3338 17th Street, A Mixed Use Condominium Project", being a subdivision of Lot 91, Portion of Assessor's Block No. 3569, comprising 5 sheets, approved the 16th day of January, 2002 by Department of Public Works Order No. 173,344, be and the same is hereby approved and adopted as the Official Map of 3338 17th Street, A Mixed Use Condominium Project.

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated February 2, 2000, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

THE DEPARTMENT OF PUBLIC WORKS

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 020089 **Date Passed:** January 22, 2002

Motion approving Final Map of 3338 17th Street, a Mixed Use Condominium Project, being a subdivision of Lot 91, Assessor's Block No. 3569, and adopting findings pursuant to City Planning Code Section 101.1.

January 22, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

File No. 020089

I hereby certify that the foregoing Motion was APPROVED on January 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020090 MOTION NO. M02-18

[Final Map for a 37 Unit Live/Work Condominium Project]

Motion approving Final Map of 60 Rausch Street, a Live/Work Condominium Project, being a subdivision of Lot 160, Assessor's Block No. 3730, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 60 Rausch Street, a Live/Work Condominium Project", being a subdivision of Lot 160 Portion of Assessor's Block No. 3730, comprising 10 sheets, approved the 16th day of January, 2002 by Department of Public Works Order No. 173,348, be and the same is hereby approved and adopted as the Official Map of 60 Rausch Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated August 15, 2000, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT
FEB - 6 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020090 **Date Passed:** January 22, 2002

Motion approving Final Map of 60 Rausch Street, a Live/Work Condominium Project, being a subdivision of Lot 160, Assessor's Block No. 3730, and adopting findings pursuant to City Planning Code Section 101.1.

January 22, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Maxwell

File No. 020090

I hereby certify that the foregoing Motion was APPROVED on January 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

FILE NO. 020091 MOTION NO. M02-19

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

[Adopting findings related to the conditional use appeal on property located at 2801-2825 California Street.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2000.1190C (which authorized, subject to certain conditions, the mounting of three panel antennas on the roof of an existing three-story over basement mixed use building as part of a wireless telecommunications network), within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to 711.83 of the Planning Code, on property located at 2801-2825 California Street, southwest corner at Divisadero Street (Lot 001 in Assessor's Block 1028).

The appellant, Douglas Loranger, filed a timely appeal on December 17, 2001, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2000.1190C, approved by Planning Commission Motion No. 16287 on November 15, 2001) to mount, subject to certain conditions imposed by the Planning Commission, a total of three panel antennas on the roof of an existing three-story over basement mixed use building, within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 2801-2825 California Street, southwest corner at Divisadero Street (Lot 001 in Assessor's Block 0612).

The San Francisco Planning Department adopted Wireless Telecommunications Services ("WTS") Facilities Siting Guidelines in August of 1996 ("Guidelines") to help manage the Department's consideration of applications for conditional use authorization to install WTS facilities. The Guidelines establish location preferences for installation of WTS facilities throughout the City. The Location preferences set forth seven location categories, with

category 1 being the most preferred sites and category 7 being the most disfavored sites. The property located at 2801-2825 California Street falls within category 5 (mixed-use building within an NC-2 Zoning District). Location Preference Number 5 of the WTS Guidelines does not require an alternative site analysis. It is the policy of the Planning Commission, however, to require this information from applicants for sites of this preference rating. The applicant (Sprint) prepared an Alternative Site Analysis detailing what publicly-used buildings, co-location sites and/or other Preferred Location Sites of a higher preference than the subject site exist within the required geographic service area. The Alternative Site Analysis identified twenty-seven publicly used buildings (Location Preference 1) and twelve wholly commercial buildings (Location Preferences 3 or 4) within the required geographic service area. Sprint asserts these alternative sites of a higher preference rating were either not available to the applicant or not technologically feasible for the service requirements of the applicant.

The public hearing before the Board of Supervisors on said appeal was scheduled to be heard on January 14, 2002. On January 14, 2002, the Board conducted a duly noticed hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on January 14, the Board disapproved the decision of the Planning Commission (Planning Commission No. 16287), and denied the issuance of requested Conditional Use Application No. 2000.1190C.

In reviewing the appeal of the approval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16287, dated November 15, 2001, except as indicated below; and, be it

FURTHER MOVED, That the Board of Supervisors further took notice that the project was categorically exempt from environmental review as a Class I exemption under Title 14 of the California Administrative Code. The Board finds that there have been no substantial changes in project circumstances, and no new information of substantial importance that would change the determination of categorical exemption issued by the Planning Department, and, be it

FURTHER MOVED, That the Board of Supervisors finds that:

1. At the public hearing, and in documents submitted by the applicant, the applicant stated that the installation of these proposed antennas is necessary to meet the applicant's service demands within the geographic service area defined by the applicant. At the public hearing, however, the applicant was unable to demonstrate credibly that the proposed facilities are necessary. Sprint customers who live or work within the proposed service area testified that they are able to use Sprint's services in the identified locations. Following further questions of the applicant's representatives by members of the Board of Supervisors, the Board determined that the written and oral information provided by the applicant (a) was not persuasive or objectively verified, (b) did not establish that the proposed site is necessary to meet the applicant's service demands, and (c) at most indicated that any deficiencies or gaps in the applicant's service coverage are insignificant. Consistent with this finding, and based on the evidence presented and information contained in Sprint's application, the Board further determined that disapproving the decision of the Planning Commission by its Motion 16287 dated November 15, 2001, would not prohibit, or have the effect of prohibiting, the provision of personal wireless services.

2. Nothing in the record suggests that the Guidelines or the Board's application of the Guidelines in this case unreasonably discriminate against the applicant, and the Board, therefore, determined that disapproving the decision of the Planning Commission would not

unreasonably discriminate in favor of providers of functionally equivalent services.

FURTHER MOVED, That based upon the findings made in the preceding paragraph, the Board of Supervisors finds that Finding 9 made by the Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas is not necessary to: provide emergency communication options in this neighborhood; to improve the quality of applicant's services in this neighborhood; or to meet the applicant's service demands in the applicant's desired coverage area to be served by the proposed antennas.

FURTHER MOVED, That the Board of Supervisors finds that Finding 10 made by the Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas is not necessary or desirable for and compatible with the neighborhood or the community, and will only add an unnecessary service that will result in an additional intrusion of unnecessary, noticeable equipment into a neighborhood which includes a high proportion of residential property.

FURTHER MOVED, That the Board of Supervisors finds that Finding 11 made by the Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas is not in conformity with, and would not implement the policies of the City's General Plan, in that the installation of the proposed antennas will not further any of the objectives referred to by the Planning Commission, since the appiicant is already able to provide the services they are seeking to expand.

FURTHER MOVED, That the Board of Supervisors finds that Finding 12 made by the Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas: is not necessary to preserve and enhance existing neighborhood retail uses and preserve and enhance future opportunities for resident employment in and ownership of such businesses; will be detrimental to the existing housing and neighborhood character; will not preserve and enhance the City's supply of affordable housing; and will not

add to the City's preparedness to protect against injury and loss of life in an earthquake.

FURTHER MOVED, That the Board of Supervisors finds that Finding 13 made by the Planning Commission was incorrect and without substantiation, and finds that the conditional use authorization would not promote the health, safety and welfare of the city, and will only add an unnecessary service that will result in an additional intrusion of unnecessary, noticeable equipment into a neighborhood which includes a high proportion of residential property.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion No. 16287, dated November 15, 2001, and denied the issuance of Conditional use Application No. 2000.1190C.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020091 **Date Passed:** January 22, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2000.1190C (which authorized, subject to certain conditions, the mounting of three panel antennas on the roof of an existing three-story over basement mixed use building as part of a wireless telecommunications network), within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to 711.83 of the Planning Code, on property located at 2801-2825 California Street, southwest corner at Divisadero Street (Lot 001 in Assessor's Block 1028).

January 16, 2002 Board of Supervisors — REFERRED: Board of Supervisors

January 22, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020091

I hereby certify that the foregoing Motion was APPROVED on January 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

41 Library
100 Larkin Street Govt Information Center

41 Library
100 Larkin Street Govt Information Center

FILE NO. 012112 MOTION NO. M02-20

[Amending the Rules of Order to require the Finance Committee to hold a public hearing on the Mayor's annual budget instructions after they are released.]

Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors to require the Finance Committee to hold a public hearing on the Mayor's budget instructions to City Departments for each annual City budget after the instructions are released.

NOTE: Additions are *single underline italics Times New Roman.*

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby amends the Rules of Order of the Board by amending Rule 5.1 to read as follows:

5.1 **Finance Committee.** The Finance Committee shall be referred appropriation ordinances, and measures concerning bond issues, taxes, fees and other revenue measures, labor agreements, redevelopment, and real estate. *The Finance Committee shall hold a public hearing on the Mayor's budget instructions to City Departments for each annual City budget after the instructions are released.*

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 012112 **Date Passed:** January 28, 2002

Motion amending Rule 5.1 of the Rules of Order of the Board of Supervisors to require the Finance Committee to hold a public hearing on the Mayor's budget instructions to City Departments for each annual City budget after the instructions are released.

January 28, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

File No. 012112

I hereby certify that the foregoing Motion was APPROVED on January 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

AS AMENDED IN COMMITTEE – 1/23/02

FILE NO. 020085 MOTION NO. M02-21

[Revenue Enhancement Working Group]

Motion urging the Mayor, the Controller, the Treasurer and the City Attorney to form a Revenue Enhancement Working Group in conjunction with the Board of Supervisors to consider mechanisms to enhance collection of money owed City departments and to consider appropriate fee levels for Department services.

Whereas, That the Mayor's Budget Office and the Controller are currently projecting a deficit that must be closed in next year's budget of approximately $175 million; and

Whereas, The City Attorney recently completed a partial review to consider ways to enhance the City's ability to collect money owed to City Departments; and

Whereas, Preliminary review also indicates that many fees charged by City departments have not kept pace with inflation and may not reflect the true cost of providing services; now, therefore, be it

Moved, That the Board of Supervisors of the City and County of San Francisco does hereby urge the Mayor, the Controller, the Treasurer and the City Attorney to form a Revenue Enhancement Working Group in conjunction with the Board of Supervisors to consider mechanisms to enhance collection of money owed City departments and to consider appropriate fee levels for Department services; and be it

Further Moved, That the Revenue Enhancement Working Group should consist of staff representing the Mayor's Budget Office, the Controller, the Treasurer, the City Attorney, the Assessor, the President of the Board of Supervisors and the Chair of the Board of Supervisors' Finance Committee.

DOCUMENTS DEPT.

FEB - 6 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisor Ammiano

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 020085 **Date Passed:** January 28, 2002

Motion urging the Mayor, the Controller, the Treasurer and the City Attorney to form a Revenue Enhancement Working Group in conjunction with the Board of Supervisors to consider mechanisms to enhance collection of money owed City departments and to consider appropriate fee levels for Department services.

January 28, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

File No. 020085

I hereby certify that the foregoing Motion was APPROVED on January 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020129 MOTION NO. M02-22

41 Library
100 Larkin Street Govt Information Center

[Final Map for a 38 Unit Live/Work Condominium Project]

Motion approving Final Map of Third Street Lofts, 2002 Third Street, a Live/Work Condominium Project, being a subdivision of Lot 23, Assessor's Block No. 3995, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of Third Street Lofts, 2002 Third Street, a Live/Work Condominium Project", being a subdivision of Lot 23, Portion of Assessor's Block No. 3995, comprising 4 sheets, approved the 30th day of January, 2002 by Department of Public Works Order No. 173,364, be and the same is hereby approved and adopted as the Official Map of Third Street Lofts, 2002 Third Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated May 4, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT

FEB 2 1 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020129 **Date Passed:** February 4, 2002

Motion approving Final Map of Third Street Lofts, 2002 Third Street, a Live/Work Condominium Project, being a subdivision of Lot 23, Assessor's Block No. 3995, and adopting findings pursuant to City Planning Code Section 101.1.

February 4, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020129

I hereby certify that the foregoing Motion was APPROVED on February 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020149 MOTION NO. M02-23

[Appointment to San Francisco LAFCO]

Motion appointing Supervisor Tony Hall, term to be determined, to the San Francisco Local Agency Formation Commission.

MOVED, That Government Code Section 56325 provides that the Local Agency Formation Commission shall consist of either four members of the Board of Supervisors or three members of the Board of Supervisors and the Mayor. All four members are appointed by the Board of Supervisors. These four members shall select a public member to serve as the fifth member. The Board must also select two alternate commissioners; and, be it

FURTHER MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Local Agency Formation Commission, pursuant to the provisions of Government Code Section 56325, for the term specified:

Supervisor Tony Hall, succeeding Supervisor Chris Daly, seat 2, must be a member of the San Francisco Board of Supervisors, for a term to be determined.

DOCUMENTS DEPT.
FEB 2 1 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020149 **Date Passed:** February 4, 2002

Motion appointing Supervisor Tony Hall, term to be determined, to the San Francisco Local Agency Formation Commission.

February 4, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Excused: 1 - Hall

File No. 020149

I hereby certify that the foregoing Motion was APPROVED on February 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020150 MOTION NO. M02-24

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT.

FEB 2 1 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisors Ammiano, Newsom, Yee, Lenc, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020150 **Date Passed:** February 4, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

February 4, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020150

I hereby certify that the foregoing Motion was APPROVED on February 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020151 MOTION NO. M02-25

[Suspending the Rules of Order]

Motion suspending Rules regarding referral of appointments to the Rules Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby suspends, pursuant to Rule 4.37, the requirement of Rule 5.5 that appointments be referred to the Rules Committee for hearing and recommendation so that the Board may consider for immediate adoption without reference to committee the appointment of Supervisor Tony Hall to the San Francisco Local Agency Formation Commission.

DOCUMENTS DEPT.

FEB 2 1 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020151 **Date Passed:** February 4, 2002

Motion suspending Rules regarding referral of appointments to the Rules Committee.

February 4, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020151

I hereby certify that the foregoing Motion was APPROVED on February 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020185 MOTION NO. M02-26

[Appointment to San Francisco LAFCo]

Motion appointing Supervisor Aaron Peskin as an alternate member to the San Francisco Local Agency Formation Commission.

MOVED, That Government Code Section 56325 provides that the Local Agency Formation Commission shall consist of either four members of the Board of Supervisors or three members of the Board of Supervisors and the Mayor. All four members are appointed by the Board of Supervisors. These four members shall select a public member to serve as the fifth member. The Board must also select two alternate commissioners; and, be it

FURTHER MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as an alternate member of the Local Agency Formation Commission, pursuant to the provisions of Government Code Section 56325, for the term specified;

Supervisor Aaron Peskin is appointed as an alternate member of the San Francisco Local Agency Formation Commission, term to be determined.

DOCUMENTS DEPT.

FEB 2 1 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020185 **Date Passed:** February 4, 2002

Motion appointing Supervisor Aaron Peskin as an alternate member to the San Francisco Local Agency Formation Commission.

February 4, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Excused: 1 - Peskin

File No. 020185

I hereby certify that the foregoing Motion was APPROVED on February 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 012167 AMENDMENT OF THE WHOLE AS AMENDED IN COMMITTEE 12/13/01 MOTION NO. M02-27

[SRO Visitors Policy.]

Motion approving the Uniform Residential Hotel Visitors Policy pursuant to Section 41D.3(b) of the San Francisco Administrative Code.

WHEREAS, The Board of Supervisors enacted Ordinance 135-01 on July 6, 2001, establishing Chapter 41D, Residential Hotel Visitor Policies; and,

WHEREAS, The Housing, Transportation and Land Use Committee is charged with review and approval of policies pursuant to Sec. 41D.3(b); and

WHEREAS, ~~Criteria and Procedures for Residential Hotel Visitor Policy, a document based on the hard work of the SRO Task Force~~ Uniform Visitor Policy in SRO Hotels, adopted on December 5, 2001 by the SRO Health and Safety Task Force,of the City and County of San Francisco, is on file with the Clerk of the Board of Supervisors in File No. 012167, which is hereby declared to be a part of this motion as if set forth fully herein; and

WHEREAS, The public interest requires approval of this item to ensure that residents can enjoy safe and secure residences; now, therefore, be it

MOVED, That the Housing Transportation and Land Use Committee, pursuant to the power vested in it by Chapter 41D.3(b) of the San Francisco Administrative Code, adopts the attached document as the official Uniform Residential Hotel Visitors Policy.

DOCUMENTS DEPT.

FEB 2 1 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 012167 **Date Passed:** December 13, 2001

Motion approving the Uniform Residential Hotel Visitors Policy pursuant to Section 41D.3(b) of the San Francisco Administrative Code.

File No. 012167

Gloria L. Young
Clerk of the Board

FILE NO. 020141 MOTION NO. M02-28

[Final Map for a 15 Unit Live/Work Condominium Project]

Motion approving Final Map of 250 Clara Street, a Live/Work Condominium Project, being a subdivision of Lot 206, Assessor's Block No. 3753, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 250 Clara Street, a Live Work Condominium Project", being a subdivision of Lot 206, Portion of Assessor's Block No. 3753, comprising 5 sheets, approved the 6th day of February, 2002 by Department of Public Works Order No. 173,370, be and the same is hereby approved and adopted as the Official Map of 250 Clara Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated March 12, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT.

FEB 21 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020141 Date Passed: February 11, 2002

Motion approving Final Map of 250 Clara Street, a Live/Work Condominium Project, being a subdivision of Lot 206, Assessor's Block No. 3753, and adopting findings pursuant to City Planning Code Section 101.1.

February 11, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020141

I hereby certify that the foregoing Motion was APPROVED on February 11, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020142 MOTION NO. M02-29

[Final Map for a 16 Unit Live/Work Condominium Project]

Motion approving Final Map of 73 Sumner Street, a Live/Work Condominium Project, being a subdivision of Lot 157, Assessor's Block No. 3730, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 73 Sumner Street, a Live Work Condominium Project", being a subdivision of Lot 157, Portion of Assessor's Block No. 3730, comprising 6 sheets, approved the 6th day of February, 2002 by Department of Public Works Order No. 173,369, be and the same is hereby approved and adopted as the Official Map of 73 Sumner Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated June 6, 2000, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT

FEB 21 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020142 Date Passed: February 11, 2002

Motion approving Final Map of 73 Sumner Street, a Live/Work Condominium Project, being a subdivision of Lot 157, Assessor's Block No. 3730, and adopting findings pursuant to City Planning Code Section 101.1

February 11, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020142

I hereby certify that the foregoing Motion was APPROVED on February 11, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

41 Library
100 Larkin Street Govt Information Center

FILE NO. 020183 MOTION NO. M02-30

[Suspending the Rules of Order.]

Motion suspending Rules regarding referral of appointments to Rules Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby suspends, pursuant to Rule 4.37, the requirement of Rule 5.5 that appointments be referred to the Rules Committee for hearing and recommendation so that the Board may consider for immediate adoption without reference to committee the appointment of Supervisors Chris Daly and Tony Hall to the Transbay Joint Powers Authority.

DOCUMENTS DEPT
MAR - 7
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020183 **Date Passed:** February 19, 2002

Motion suspending Rules regarding referral of appointments to Rules Committee.

February 19, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020183

I hereby certify that the foregoing Motion was APPROVED on February 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gregoire Hobson
Acting Clerk of the Board

FILE NO. 020184 MOTION NO. M02-31

[Appointment to the Transbay Joint Powers Authority.]

Motion appointing Supervisor Chris Daly to the Transbay Joint Powers Authority.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint Supervisor Chris Daly to the Transbay Joint Powers Authority.

DOCUMENTS DEPT
MAR - 7 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020184 **Date Passed:** February 19, 2002

Motion appointing Supervisor Chris Daly to the Transbay Joint Powers Authority.

February 19, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Excused: 1 - Daly

File No. 020184

I hereby certify that the foregoing Motion was APPROVED on February 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gregoire Hobson
Acting Clerk of the Board

FILE NO. 020237 MOTION NO. M02-32

[Appointment to the Transbay Joint Powers Authority.]

Motion appointing Supervisor Tony Hall as an alternate member to the Transbay Joint Powers Authority.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint Supervisor Tony Hall as an alternate member to the Transbay Joint Powers Authority.

DOCUMENTS DEPT.

MAR - 7 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020237 **Date Passed:** February 19, 2002

Motion appointing Supervisor Tony Hall as an alternate member to the Transbay Joint Powers Authority.

February 19, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Excused: 1 - Hall

File No. 020237

I hereby certify that the foregoing Motion was APPROVED on February 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gregoire Hobson
Acting Clerk of the Board

As Amended in Board
2/19/02

FILE NO. 020238 MOTION NO. M02-33

[Motion to convene a public hearing to consider whether the Board of Supervisors shall declare itself to be the Redevelopment Agency of the City and County of San Francisco, thereby replacing the existing Redevelopment Agency and its appointed Board.]

Motion directing the Clerk of the Board of Supervisors to notice and convene a public hearing pursuant to §33200(b) of the California Community Redevelopment Law (Health & Safety Code §33000, et seq.), for consideration of whether the Board of Supervisors shall declare itself to be the Redevelopment Agency for the City and County of San Francisco and thereby replace the existing Redevelopment Agency and its appointed Board; and further directing the Clerk to cause the preparation of reports or proposals as necessary for the hearing.

WHEREAS, The California Community Redevelopment Law (Health & Safety Code §33000, et seq.) empowers the Board of Supervisors to at any time adopt an ordinance declaring itself to be the Redevelopment Agency for the City and County of San Francisco (§33200); and,

WHEREAS, In such an ordinance the Board of Supervisors must make findings that the action shall serve the public interest and promote the public safety and welfare in an effective manner; and,

WHEREAS, The Board of Supervisors must conduct a public hearing on the proposed ordinance before adopting the ordinance; and,

WHEREAS, Notice of the public hearing shall be published not less than once during the ten (10) calendar days immediately prior to the hearing in a newspaper of general circulation printed and published in the community, and the notice shall include a general statement of the procedure and effect of the legislative body's declaring itself to be the agency; and,

DOCUMENTS DEPT.

MAR - 7 2002

SAN FRANCISCO
PUBLIC LIBRARY

WHEREAS, Copies of the notice shall be posted at least ten (10) calendar days prior to the hearing as provided by Health & Safety Code §33200(b), and mailed to all persons who have expressed to the agency or the legislative body an interest in receiving information on redevelopment activities; and,

WHEREAS, The Board of Supervisors shall cause the preparation of any report or reports or proposals, as are necessary to substantiate and explain the determination that the Board of Supervisors shall declare itself the Redevelopment Agency, to be presented at the public hearing; now, therefore, be it

MOVED, That the Clerk of the Board of Supervisors is directed to convene a public hearing pursuant to Health & Safety Code §33200(b); and, be it as a Special Order commencing at 5:00 PM at the full Board of Supervisors meeting of March 4th, 2002.

FURTHER MOVED, That the Clerk of the Board of Supervisors shall provide notice of the public hearing and cause the preparation of reports or proposals as necessary for the public hearing.

FURTHER MOVED, If the Clerk is unable to convene the public hearing on March 4th, the Clerk shall convene the public hearing at another regular meeting of the Board of Supervisors prior to March 31, 2002.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 020238 **Date Passed:** February 19, 2002

Motion directing the Clerk of the Board of Supervisors to notice and convene a public hearing pursuant to Section 33200(b) of the California Community Redevelopment Law (Health & Safety Code Section 33000, et seq.), for consideration of whether the Board of Supervisors shall declare itself to be the Redevelopment Agency for the City and County of San Francisco and thereby replace the existing Redevelopment Agency and its appointed Board; and further directing the Clerk to cause the preparation of reports or proposals as necessary for the hearing.

February 19, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020238

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on February 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gregoire Hobson
Acting Clerk of the Board

FILE NO. 020259 MOTION NO. M02-34

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT.
MAR - 7 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020259 **Date Passed:** February 19, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

February 19, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020259

I hereby certify that the foregoing Motion was APPROVED on February 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Grégoire Hobson
Acting Clerk of the Board

FILE NO. 020285 MOTION NO. M02-35

[Waiver Permitting Employees of the Department of Administrative Services to Provide Information Technology Services to the Department of Elections on March 5, 2002.]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit employees of the Department of Administrative Services to provide information technology services to the Department of Elections on March 5, 2002.

WHEREAS, San Francisco Charter section 13.104.5 prohibits City employees and officers (other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission) from performing "any function relating to the conduct of an election;" and,

WHEREAS, Charter section 13.104.5 authorizes the Board of Supervisors, upon the request of the Elections Commission, to waive this prohibition for election day activity; and,

WHEREAS, The Elections Commission has requested that the Board of Supervisors waive this prohibition to permit employees of the Department of Administrative Services to provide information technology services to the Department of Elections on election day, March 5, 2002; and,

WHEREAS, These employees of the Department of Administrative Services would direct and coordinate the operation of vote tabulation equipment and the electronic reporting of results; now, therefore, be it

Moved, That the Board of Supervisors waives the prohibition imposed by Charter section 13.104.5, to permit employees of the Department of Administrative Services to provide these information technology services to the Department of Elections on March 5, 2002.

DOCUMENTS DEPT.
MAR - 7 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020285 **Date Passed:** February 19, 2002

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit employees of the Department of Administrative Services to provide information technology assistance to the Department of Elections on March 5, 2002.

February 19, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020285

I hereby certify that the foregoing Motion was APPROVED on February 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gregoire Hobson
Acting Clerk of the Board

Amendment of the Whole
in Committee. 2-20-02

FILE NO. 020087 MOTION NO. M02-36

[Motion directing the Clerk of the Board of Supervisors, in consultation with the Elections Commission and California Secretary of State, to select an auditor to retally ballots cast in the November 7, 2000 Consolidated Municipal Election and recanvass ballots cast in the November 6, 2001 Consolidated Municipal Election.]

Motion directing the Clerk of the Board of Supervisors, in consultation with the Elections Commission and California Secretary of State and subject to approval by the Board of Supervisors, to select an auditor to retally ballots cast in the November 7, 2000 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the November 6, 2001 Consolidated Municipal Election.

WHEREAS, The California Secretary of State reviewed the ballots cast in 21 precincts in the November 7, 2000 Consolidated Municipal Election conducted in San Francisco and found significant discrepancies between the actual ballots and the results reported by the Department of Elections; and,

WHEREAS, The Secretary of State urged San Francisco to perform a more thorough inquiry into the discrepancies in the November 7, 2000 Consolidated Municipal Election and publicly report the results; and,

WHEREAS, The Secretary of State also urged San Francisco to examine the results of the November 6, 2001 Consolidated Municipal Election to determine how best to improve San Francisco elections; and,

WHEREAS, There is concern regarding the integrity of elections in San Francisco, particularly in light of the Secretary of State's investigation and the well-publicized reports of irregularities in recent elections; now, therefore, be it

Moved, The Clerk of the Board of Supervisors shall, in consultation with the Secretary of State and subject to approval by the Board of Supervisors, select an auditor to perform an

DOCUMENTS DEPT.
MAR - 7 2002
SAN FRANCISCO

independent review of the November 7, 2000 and November 6, 2001 election results; and, be it

FURTHER MOVED, That the auditor shall conduct a complete retally of ballots cast in the November 7, 2000 election, using methodology developed in consultation with the Secretary of State pursuant to Government Code Section 12172.5, and report the results to the Board of Supervisors; and, be it

FURTHER MOVED, That the auditor shall select a random sample of no fewer than 22 and no more than 44 precincts in the November 6, 2001 election and, using methodology developed in consultation with the Secretary of State pursuant to Government Code Section 12172.5, compare the actual ballots cast in those precincts with the results reported by the Department of Elections, and report any discrepancies or irregularities to the Board of Supervisors; and, be it

FURTHER MOVED, That the Board of Supervisors and Elections Commission shall consider the findings of the auditor when considering whether to conduct, in consultation with the California Secretary of State, a complete retally of ballots cast in the November 6, 2001 election.

FURTHER MOVED, That before any other actions may be taken under the provisions of this motion, the Clerk, in consultation with the Secretary of State, shall submit to the Board of Supervisors for approval RFPs submitted by potential auditors that would define the scope of duties to be performed, and the costs for performing the work, specifying the scope of duties and costs for both the November 2000 and November 2001 elections.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020087 **Date Passed:** February 25, 2002

Motion directing the Clerk of the Board of Supervisors, in consultation with the Elections Commission and California Secretary of State and subject to approval by the Board of Supervisors, to select an auditor to retally ballots cast in the November 7, 2000 Consolidated Municipal Election and recanvass ballots cast in a random sample of precincts in the November 6, 2001 Consolidated Municipal Election.

February 25, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 2 - Leno, Newsom

File No. 020087

I hereby certify that the foregoing Motion was APPROVED on February 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020240 MOTION NO. M02-37

[Final Map for a 15 Unit Live/Work Condominium Project]

Motion approving Final Map of 322 - 6th Street, a Live/Work Condominium Project, being a subdivision of Lot 3, Assessor's Block No. 3754, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 322 - 6th Street, a Live/Work Condominium Project", being a subdivision of Lot 3, Portion of Assessor's Block No. 3754, comprising 6 sheets, approved the 13th day of February, 2002 by Department of Public Works Order No. 173,386, be and the same is hereby approved and adopted as the Official Map of 322 - 6th Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated May 21, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

DOCUMENTS DEPT.

MAR - 7 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020240 **Date Passed:** February 25, 2002

Motion approving Final Map of 322 - 6th Street, a Live/Work Condominium Project, being a subdivision of Lot 3, Assessor's Block No. 3754, and adopting findings pursuant to City Planning Code Section 101.1.

February 25, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020240

I hereby certify that the foregoing Motion was APPROVED on February 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020342 MOTION NO. M02-38

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT

MAR 25 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020342 **Date Passed:** March 4, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

March 4, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020342

I hereby certify that the foregoing Motion was APPROVED on March 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

As Amended in Board
3/4/02

FILE NO. 020344 MOTION NO. M02-39

[Board Off-site Meetings]

Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on ~~March 20~~ April 17, 2002, at 3:00 P.M. and directing the Clerk of the Board to prepare the proper notices and postings.

lw
3/4

WHEREAS, In the November 1993 election, Proposition O was passed by the voters of San Francisco to allow committee meetings of the San Francisco Board of Supervisors to be held outside of City Hall; and

WHEREAS, The 1996 Charter Section 2.103 continued to allow meetings of the San Francisco Board of Supervisors committees to be held outside of City Hall; and

WHEREAS, The Board of Supervisors on January 14, 2002, adopted Rule 5.7 of its Rules of Order which created the City and School District Committee to hear measures concerning issues of mutual interest that affect the City and School District, its employees, its students, and the families of its students, including the issue of the public use of the School District facilities; and

WHEREAS, The Board of Education on June 22, 1999 adopted Rule 5.6, Policy No. P120, creating the City and School District Committee with the same purpose as cited above and stating the City and School District Committee shall be comprised of two members of the Board of Supervisors and two members of the Board of Education; and,

WHEREAS, At the October 27, 1999 meeting of the City and School District Committee, it was decided to hold quarterly meetings at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First floor, San Francisco at 3:00 p.m.; now, therefore, be it

DOCUMENTS DEPT.

MAR 2 5 2002

SAN FRANCISCO
PUBLIC LIBRARY

lw
3/4

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby order that the ~~March 20~~ April 17, 2002, meeting of the City and School District Committee be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First floor, San Francisco at 3:00 p.m.; and be it,

FURTHER MOVED, That the Clerk of the Board of Supervisors is directed to prepare the necessary notices and postings pursuant to Charter Section 2.103.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020344 **Date Passed:** March 4, 2002

Motion ordering the City and School District Committee meeting of the Board of Supervisors to be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on April 17, 2002, at 3:00 P.M. and directing the Clerk of the Board to prepare the proper notices and postings.

March 4, 2002 Board of Supervisors — AMENDED

March 4, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020344

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on March 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

AMENDMENT OF THE WHOLE 3/6/2002
FILE NO. 020086 MOTION NO. M02-40

[Legislative Analyst and Budget Analyst; Budget Consideration]

Directing the Office of the Legislative Analyst to pursue training from the City Controller and the Board of Supervisors Budget Analyst in how the City budget and budget process work; to coordinate with the Budget Analyst to review recent audits published by the Budget Analyst and the Controller to identify cost-saving measures identified in audits and other reports that have not been implemented; to provide staff support to policy and fiscal committees of the Board of Supervisors during hearings on budget-related matters; to prioritize such work over Board-approved motions or individual requests received by the Office until the FY 02-03 budget is approved by the Board of Supervisors and directing the Board of Supervisors Budget Analyst to coordinate with the Office of the Legislative Analyst on budget-related work; to continue to review the Mayor's balanced budget proposal in the month of June; ~~and setting forth~~ to create a consent calendar procedure for Board Committees such that the Budget Analyst's reports on consent matters can be substantially reduced in order to provide additional Budget Analyst staff time to budget-related matters; and to explore other changes to its annual budget review designed to enhance the Board's budget review process.

Whereas, The Mayor's Budget Office and the Controller are currently projecting a deficit that must be closed in next year's budget of approximately $175 million; and

Whereas, The Budget Analyst and the Controller have generated audits of City departments that identify potential savings and/or management system changes that include recommendations that have not yet been implemented by City departments, including recent

DOCUMENTS DEPT

MAR 2 5 2002

SAN FRANCISCO

audits of the Police Department, the Department of Parking and Traffic and the Fire Department and a forthcoming audit of the Department of City Planning; and

Whereas, The Board of Supervisors shares the responsibility for identifying and implementing cost-savings in the City's budget in order to pass a balanced City budget; now, therefore, be it

Moved, That the Board of Supervisors of the City and County of San Francisco does hereby direct the Office of the Legislative Analyst to perform the following tasks to assist with budget preparation and analysis:

1. to pursue training from the City Controller and the Board of Supervisors Budget Analyst in how the City budget and budget process work;
2. to review recent audits published by the Budget Analyst and the Controller to identify cost-saving measures identified in audits and other reports that have not been implemented;
3. to provide staff support to policy and fiscal committees of the Board of Supervisors during hearings on budget-related matters, pursuant to motions directing research into specific cost-saving measures or policy analysis adopted by a majority of members serving on such policy or fiscal committees;
4. to provide follow up support to ensure that answers policy and budget related questions posed by members of the Board to City department staff are provided in a timely manner; and be it

Further Moved, That the Office of the Legislative Analyst should prioritize such tasks above Board-approved motions or individual requests made to the Office of the Legislative Analyst until the Board of Supervisors adopts the FY 02-03 budget, unless otherwise directed by Board action; and be it

Further Moved, That Board of Supervisors does hereby direct the Budget Analyst to coordinate with the Office of the Legislative Analyst in performing the work assigned to the Legislative Analyst on budget-related matters and that a designated Budget Analyst staff person will review the work of the Legislative Analyst on such matters and transmit resulting reports to the Board Committees; and be it

Further Moved, That Budget Analyst will continue to review the Mayor's balanced budget proposal in the month of June; and be it

Further Moved, That the Budget Analyst is directed to work with Board of Supervisors staff in order to implement a consent calendar procedure for Board Committees such that the Budget Analyst's reports on consent matters can be substantially reduced in order to provide additional Budget Analyst staff time to budget-related matters, including staffing budget-related hearings of the Board of Supervisors; and be it

Further Moved, That the consent calendar procedure shall provide instructions to City Departments detailing the specific information required by Board Committees in order to permit placement of a matter on a consent calendar, and, failing the submission of information sufficient to satisfy Board Committees on legislative matters, legislation on consent calendar will be continued to the call of the Chair so that the Budget Analyst can prepare a full report on the proposed legislation, and

Further Moved, That in consultation with the President of the Board and the Chair and Vice-Chair of the Budget Committee, the Budget Analyst will continue to explore other changes to its annual budget review designed to enhance the Board's budget review process.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020086 **Date Passed:** March 11, 2002

Motion directing the Office of the Legislative Analyst to pursue training from the City Controller and the Board of Supervisors Budget Analyst in how the City budget and budget process work; to coordinate with the Budget Analyst to review recent audits published by the Budget Analyst and the Controller to identify cost-saving measures identified in audits and other reports that have not been implemented; to provide staff support to policy and fiscal committees of the Board of Supervisors during hearings on budget-related matters; to prioritize such work over Board-approved motions or individual requests received by the Office until the FY 02-03 budget is approved by the Board of Supervisors and directing the Board of Supervisors Budget Analyst to coordinate with the Office of the Legislative Analyst on budget-related work; to continue to review the Mayor's balanced budget proposal in the month of June; to create a consent calendar procedure for Board Committees such that the Budget Analyst's reports on consent matters can be substantially reduced in order to provide additional Budget Analyst staff time to budget-related matters; and to explore other changes to its annual budget review designed to enhance the Board's budget review process.

March 11, 2002 Board of Supervisors — APPROVED

Ayes: 7 - Daly, Gonzalez, Hall, Leno, Newsom, Sandoval, Yee
Absent: 4 - Ammiano, Maxwell, McGoldrick, Peskin

File No. 020086

I hereby certify that the foregoing Motion was APPROVED on March 11, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020386 MOTION NO. M02-41

[Extending Time for Negotiations]

Motion extending time for negotiations pursuant to Charter Section 11.100

WHEREAS, The City has been meeting and conferring with its unrepresented employees over negotiable terms and conditions of employment to take effect July 1, 2002; and

WHEREAS, The City has been meeting and conferring with some of its unions in accordance with provisions in their respective labor agreements over amendments and modifications to those labor agreements; and

WHEREAS, In order to be included in the budget to take effect July 1, 2002 an agreement or arbitration award must be adopted by ordinance within timelines set forth in Charter Section A8.409-4, as may be extended by Charter Section 11.100; and

WHEREAS, The Board of Supervisors previously clarified such deadlines in Resolution No. 91-97; and

WHEREAS, Under Charter Section A8.409-4 the Human Resources Director has requested that the Board of Supervisors take action pursuant to Charter Section 11.100 to extend by thirty days the date for final adoption of ordinances approving such salary and benefits; now therefore, be it

MOVED, That the date for final adoption of ordinances implementing or modifying salary, benefits, and/or working conditions to be effective July 1, 2002 is hereby extended by thirty days. For unions and unrepresented employees in negotiations for which impasse has not been declared, the date for final adoption of ordinances approving salary, benefits, and/or working conditions to be effective July 1, 2002 is May 1, 2002. Such proposed collective bargaining agreements must be submitted to the Clerk of the Board on or about March 27th,

Mayor Willie L. Brown
BOARD OF SUPERVISORS

DOCUMENTS DEPT.

MAR 2 5 2002

c:\windows\temp\cdet3.daiven.notes.data-229451\6.doc

2002 in a form that will allow for complete review and costing in time for final adoption by May 1, 2002; and be it

FURTHER MOVED, That Arbitration panel awards issued pursuant to Charter Section A8.409-3 shall be submitted to the Clerk of the Board on or about May 29th, 2002 in a form that will allow for complete review and costing in time for final adoption by June 30, 2002.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020386 **Date Passed:** March 11, 2002

Motion extending time for negotiations pursuant to Charter Section 11.100.

March 11, 2002 Board of Supervisors — APPROVED

Ayes: 7 - Daly, Gonzalez, Hall, Leno, Newsom, Sandoval, Yee
Absent: 4 - Ammiano, Maxwell, McGoldrick, Peskin

File No. 020386

I hereby certify that the foregoing Motion was APPROVED on March 11, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

41 Library
100 Larkin Street Govt Information Center

As Amended in Board
3/18/02

FILE NO. 020376 MOTION NO. M02-42

[Controller and Budget Analyst Performance Audit Schedule.]

Motion **adopting a proposed schedule of audits to be conducted of programs of City and county departments.**

WHEREAS, It is the policy of the Board of Supervisors that each program of the City and county of San Francisco be the subject of a performance or management audit at least once every eight years; and,

WHEREAS, The function of regular audits is to ensure that city departments and agencies make prudent and efficient use of city resources and also effectively perform the functions assigned to them by the charter and applicable laws; and

WHEREAS, In accordance with Rule 6.18 of the Rules of Order, the Controller and the Budget Analyst have submitted a proposed schedule of performance and management audits to be conducted of City departments; and

WHEREAS, Rule 6.18 of the Rules of Order outlines the criteria to be used in developing the proposed audit schedule, and those priorities include programs that have never undergone a management audit as well as programs that have gone the longest period of time since their last management audit; and

WHEREAS, The Board of Supervisors has reviewed the schedule and has approved a schedule which the Board believes will result in audit findings which will be most effective in improving services to the people of San Francisco; now, therefore, be it

MOVED, That the Board of Supervisors concurs with the following schedule of audits by the Controller in the following order of priority: Homeless Services (in progress)/ Public best practices for hiring and contracting to carry out the Public Utilities Commission Capital Improvement Program, including current obstacles to expedited hiring Defender, Library, Human Services and County Clerk; and, be it

FURTHER MOVED, That the Budget Analyst is requested to include in its schedule of audits, in the following order of priority, the Department of Public Health (San Francisco General Hospital Financial Controls) and the Recreation and Parks Department; and, be it

~~November 1996's Proposition A~~

FURTHER MOVED, That the Budget Analyst is authorized to initiate focused special projects to the extent that staff resources are available and if there are no pending special project assignments as directed by the Board of Supervisors, after informing the President of the Board of Supervisors and the Chair of the Rules and Audits Committee.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 020376 **Date Passed:** March 18, 2002

Motion adopting a proposed schedule of audits to be conducted of programs of City and County departments.

March 11, 2002 Board of Supervisors — CONTINUED

Ayes: 7 - Daly, Gonzalez, Hall, Leno, Newsom, Sandoval, Yee
Absent: 4 - Ammiano, Maxwell, McGoldrick, Peskin

March 18, 2002 Board of Supervisors — AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

March 18, 2002 Board of Supervisors — AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

March 18, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

DOCUMENTS DEPT.

APR - 2 2002

SAN FRANCISCO
PUBLIC LIBRARY

File No. 020376

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on March 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020396 MOTION NO. M02-43

[Final Map for a 11 Unit Mixed Use Condominium Project]

Motion approving Final Map of 3365 20th Street, a Mixed Use Condominium Project, being a subdivision of Lot 33, Assessor's Block No. 3611, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 3365 20th Street, A Mixed Use Condominium Project", being a subdivision of Lot 33, Portion of Assessor's Block No. 3611, comprising 4 sheets, approved the 13th day of March, 2001 by Department of Public Works Order No. 173,428, be and the same is hereby approved and adopted as the Official Map of 3365 20th Street, A Mixed Use Condominium Project.

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated January 31, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, - L.S.
Division Manager

DOCUMENTS DEPT.

APR - 2 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020396 **Date Passed:** March 18, 2002

Motion approving Final Map of 3365 20th Street, a Mixed Use Condominium Project, being a subdivision of Lot 33, Assessor's Block No. 3611, and adopting findings pursuant to City Planning Code Section 101.1.

March 18, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020396

I hereby certify that the foregoing Motion was APPROVED on March 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020397 MOTION NO. M02-44

[Authorizing the attendance of three members of the San Francisco Youth Commission, and two City staff members, at the April 26-28, 2002, Global Youth Service Day event in Taiwan.]

Motion authorizing the attendance of three members of the San Francisco Youth Commission, and two City staff members, at the April 26-28, 2002, Global Youth Service Day event in Taiwan.

WHEREAS, The Taiwan National Youth Commission (an office of the Taiwan government) has invited the San Francisco Youth Commission to send as many as five representatives to the April 26-28 celebration in Taiwan of Global Youth Service Day; and

WHEREAS, This invitation includes with it an offer by the Taiwanese sponsors to provide five economy roundtrip air tickets, as well as room and board; and

WHEREAS, The purpose of the invitation is to provide an opportunity for the San Francisco Youth Commission representatives to meet with Youth representatives from around the world on youth related issues; and

WHEREAS, The invitation follows a visit to San Francisco last year by representatives of Taiwan's youth to San Francisco, which resulted in mutual discussions of youth related issues between the San Francisco and Taiwan Youth representatives, and

WHEREAS, The San Francisco Youth Commission wishes to send representatives to attend the Global Youth Service Day in Taiwan on April 26-28, 2002, and continue the exchange of ideas with youth representatives from around the world; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby authorizes the attendance of three members of the San Francisco Youth Commission, and two City staff members, at the April 26-28, 2002, Global Youth Service Day event in Taiwan, with the City not being responsible for any of the direct costs of the trip; and, be it

DOCUMENTS DEPT.

APR - 2 2002

c:\windows\temp\ users.kathleen.bates data=053214.doc

FURTHER MOVED, That this authorization is conditioned upon the following actions occurring:

1. Two of the five Youth Commission representatives shall be adult City staff chaperons (one male and one female).

2. The three Youth Commission representatives shall be selected in a fair and impartial manner.

3. The Commissioners shall obtain written and notarized permission from their parents and/or guardians for the trip, and a written and notarized emergency care authorization from their parents and/or guardians.

4. The five representatives shall each provide to the City Attorney all waivers requested by the City Attorney and/or the City's Risk Manager.

5. Each of the representatives shall have travel insurance, including health and accidental death insurance.

6. Each Commissioner shall provide a medical history, including a disclosure of any special medical conditions and any known allergies to medication, copies of all current prescriptions, and a list of all medicines they take and when they take them.

7. Each of the representatives shall obtain a valid passport before they depart.

8. The Youth Commission shall set a limit on the amount of spending money Commissioners may bring and spend.

9. Each of the representatives is encouraged to utilize traveler's checks and authorized credit cards, rather than money.

10. The Youth Commission shall arrange for a mandatory cultural briefing for the five Youth Commission representatives that includes rules and guidelines for behavior while the representatives are outside the United States.

11. All representatives shall provide emergency contact names and numbers.

12. All representatives shall report the travel-related gift from the Taiwanese sponsors.

13. Parental authorization will be required for the use in future Youth Commission promotional materials of any photographs or videotapes of minors taken during the trip; authorizations shall also be obtained from all other representatives for the use of any photographs or videotapes in Youth Commission promotional materials that include them; and, be it

FURTHER MOVED, That the members of the Youth Commission who attend the Global Youth Service Day shall provide a written report to the Board of Supervisors concerning their trip and activities upon their return.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020397 **Date Passed:** March 18, 2002

Motion authorizing the attendance of three members of the San Francisco Youth Commission, and two City staff members, at the April 26-28, 2002, Global Youth Service Day event in Taiwan.

March 18, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020397

I hereby certify that the foregoing Motion was APPROVED on March 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020403 MOTION NO. M02-45

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT.

APR - 2 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020403 Date Passed: March 18, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

March 18, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020403

I hereby certify that the foregoing Motion was APPROVED on March 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020423 MOTION NO. M02-46

[Audit, Affordable Housing and Homeownership Bond Program]

Motion directing the Budget Analyst to prepare an audit of the $100 Million authorized by the voters in November of 1996 under the Affordable Housing and Homeownership Bond Program, otherwise known as Proposition A .

WHEREAS, Proposition A passed by the voters in November, 1996 permitting the City and County of San Francisco to borrow $100 million over five years to expand housing opportunities for people of limited means; and

WHEREAS, This money has been used to acquire, rehabilitate and build low cost rental units and help provide down payments on homes for first time buyers whose incomes are at or below San Francisco's median levels; and

WHEREAS, There has not been an audit of the Affordable Housing and Homeownership Bond Program administered by the Mayor's Office of Housing; now, therefore, be it moved,

MOVED, That the Board of Supervisors directs the Budget Analyst to conduct an audit of the Affordable Housing and Homeownership Bond Program administered by the Mayors Office of Housing; and, be it

FURTHER MOVED, That the Budget Analyst shall report back to the Rules and Audits Committee no later than May 3rd, 2002, the last day to submit data required by the City Attorney for drafting resolutions of public interest and necessity.

DOCUMENTS DEPT.

APR - 2 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020423 **Date Passed:** March 18, 2002

Motion directing the Budget Analyst to prepare an audit of the $100 Million authorized by the voters in November of 1996 under the Affordable Housing and Homeownership Bond Program, otherwise known as Proposition A.

March 18, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020423

I hereby certify that the foregoing Motion was APPROVED on March 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Amendment of the Whole
3/18/02

FILE NO. 020435 MOTION NO. M02-47

[Budget Analyst – Best Practices for Issuance of Debt for Capital Improvements]

Motion directing the Board of Supervisors Budget Analyst, in conjunction with the Office of the Legislative Analyst and the San Francisco Public Utilities Commission ("PUC"), to review the best practices for financing large capital improvement projects at municipal utilities in the State of California and at state agencies performing similar utility construction projects; directing the Budget Analyst, in consultation with the Mayor's Office of Public Finance and the PUC, to interview analysts at bond rating agencies to determine the outlook for PUC bond ratings for the Water and Clean Water enterprises, and to determine recommended steps to improve bond ratings for the water and sewer enterprises; directing the Budget Analyst to calculate potential savings in potential interest payments for the PUC's proposed capital improvement program if bond ratings for the Water and Clean Water enterprises increase to their former levels; and directing the Budget Analyst to report back to the Board of Supervisors by May 31, 2002.

Whereas, The San Francisco Public Utilities Commission ("PUC") is planning an aggressive Capital Improvement Program that is expected to cost approximately $4.6 billion over a period of at least 10 years; and

Whereas, Much of the work in the proposed Capital Improvement Program is required to seismically retrofit the PUC's water and sewer infrastructure and to replace or repair infrastructure that is in some cases more than 100 years old; and

Whereas, Many of the PUC's system components lie along three major earthquake faults, including the San Andreas Fault, the Hayward Fault and the Calaveras Fault, and it has been estimated that a severe earthquake could result in water outages for 2.4 million water

users served by the PUC for a period of 60-90 days, potentially resulting in catastrophic impacts to public health and the regional economy; and

Whereas, Several Peninsula lawmakers have introduced bills that could affect the future financing of the PUC Capital Improvement Program or future ownership of PUC assets, including a bill that would set the groundwork for a State takeover of the PUC; and

Whereas, Over the past several years, bond rating agencies have down-graded bond ratings for the Water and Clean Water (sewer) enterprises of the PUC, resulting in increased cost of debt for bonds issued to finance capital improvements; and

Whereas, It is in the best interests of San Francisco ratepayers to avoid a state takeover of the PUC and to maintain City control of the assets under jurisdiction of the PUC; and

Whereas, It is in the best interests of San Francisco ratepayers for the PUC to maintain the highest possible bond ratings that will result in the lowest possible water and sewer rate increases; now, therefore, be it

Resolved, That the San Francisco Board of Supervisors does hereby direct the Budget Analyst to perform the following research and report back to the Board not later than May 31, 2002:

1. In conjunction with the Office of the Legislative Analyst and the Public Utilities Commission, review the best practices for financing large capital improvement projects at municipal utilities in the State of California and at state agencies performing similar utility construction projects;
2. In consultation with the Mayor's Office of Public Finance and the Public Utilities Commission, interview analysts at bond rating agencies to determine the outlook for the San Francisco Public Utilities Commission ("PUC") bond ratings for the Water

and Clean Water enterprises, and to determine recommended steps to improve bond ratings for the water and sewer enterprises; and

3. Calculate potential savings in potential interest payments for the PUC's proposed capital improvement program if bond ratings for the Water and Clean Water enterprises increase to their former levels.

Further Resolved, That the Budget Analyst is authorized to expend not more than 40 hours of staff time preparing the Budget Analyst's report pursuant to this motion and, if needed, to request additional time for report preparation via a motion approved by the Board.

DOCUMENTS DEPT.

APR - 2 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020435 **Date Passed:** March 18, 2002

Motion directing the Board of Supervisors Budget Analyst, in conjunction with the Office of the Legislative Analyst and the San Francisco Public Utilities Commission ("PUC"), to review the best practices for financing large capital improvement projects at municipal utilities in the State of California and at state agencies performing similar utility construction projects; directing the Budget Analyst, in consultation with the Mayor's Office of Public Finance and the PUC, to interview analysts at bond rating agencies to determine the outlook for PUC bond ratings for the Water and Clean Water enterprises, and to determine recommended steps to improve bond ratings for the water and sewer enterprises; directing the Budget Analyst to calculate potential savings in potential interest payments for the PUC's proposed capital improvement program if bond ratings for the Water and Clean Water enterprises increase to their former levels; and directing the Budget Analyst to report back to the Board of Supervisors by May 31, 2002.

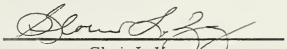
March 18, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

March 18, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020435

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on March 18, 2002 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

FILE NO. 020436 MOTION NO. M02-48

[Budget Analyst Review of November 1996's Proposition A.]

Motion requesting that the Budget Analyst undertake an expedited review of November 1996's Proposition A by auditing already expended and/or committed funds.

WHEREAS, In November 1996, the voters of the City and County of San Francisco approved Proposition A, authorizing the City to incur bond indebtedness of $100,000,000 for the financing of the development of housing affordable to low-income households and down-payment assistance to low- and moderate-income first-time home buyers; and,

WHEREAS, The Board of Supervisors, who placed this measure on the ballot, stated in the proponent's argument in favor of Proposition A that "by approving these bonds, we can leverage federal and private dollars to develop permanently affordable housing and make it possible for City workers like firefighters, police officers and teachers to buy homes in the City rather than having to live far from their jobs;" and,

WHEREAS, Paid Arguments in favor of Proposition A, stated that "Proposition A's funds will build 3,000 new apartments and offer homeownership to 1,000 families;" and, "Proposition A provides funds to create thousands of affordable housing units;" and,

WHEREAS, The regulations implementing Proposition A state the funds must be used "for the construction or rehabilitation of dwelling units;" and,

WHEREAS, According to a report prepared by the Mayor's Office of Housing in November 2001, of the $84.2 million dollars dedicated to the development of housing affordable to low-income households, approximately $10.5 million has been spent, and has resulted in the creation of 93 new units, 166 rehabilitated units, and 170 beds in rehabilitated buildings that have 0 units; and,

DOCUMENTS DEPT.

APR - 2 2002

SAN FRANCISCO

WHEREAS, The same report states that $16.8 million has been committed to plans currently under construction that will create 243 units, but it is unclear whether or not those units are new or if those units are rehabilitated units; and,

WHEREAS, The same report states that $13.1 million dollars has been committed to plans currently in the planning process that will create 709 units, without mention of whether or not these units are new or rehabilitated, and create and 94 new beds; and,

WHEREAS, The voters of the City and County of San Francisco should be assured that the bonded indebtedness that they authorized in November 1996 has been spent the way it was promised it would be spent; and

WHEREAS, The voters of the City and County of San Francisco resoundingly approved Proposition F in the March 5, 2002 election signaling their intent that general obligation bonds be spent as promised; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County requests that the Budget Analyst undertake an expedited review of November 1996's Proposition A by auditing already expended and/or committed funds to determine the following information:

□ How many new net units, as opposed to rehabilitated units, of housing have been or will be created?

□ For those projects in which 0 units have been reported constructed or committed to be constructed, but a number of beds have been constructed or have been committed to be constructed, who is being served by these new or rehabilitated facilities?

□ How many firefighters, police officers and teachers have benefited from the homeownership portion of Proposition A?

□ In the budgets of the completed projects, what were the original total budgets in comparison to the final budgets; and, in addition to Proposition A funds, what other sources of funding were used?

□ For each completed project and each project under construction, what building, planning, and other fees and taxes due to the City and County were paid and/or waived?;

□ For each completed project and each project under construction, how much revenue in property tax is each project delivering to the City and County?

□ Of the loans made with Proposition A funds for the development of rental housing, how much of the loans have been repaid, how much of the loans have been forgiven, how much of the loans remain outstanding, and what is the repayment timetable for those loans to be repaid?

□ What is the turnover rate for residents in the completed rental housing development? Of the original tenants in each completed development, how many remain in their units?; and, be it

FURTHER MOVED, That the Board of Supervisors authorizes the Budget Analyst to report on any other issues this audit discovers; and, be it

FURTHER MOVED, That the Budget Analyst will present its report to the Board of Supervisors by July 12, 2002.

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020436 **Date Passed:** March 18, 2002

Motion requesting that the Budget Analyst undertake an expedited review of November 1996's Proposition A by auditing already expended and/or committed funds.

March 18, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020436

I hereby certify that the foregoing Motion was APPROVED on March 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020439 MOTION NO. M02-49

[Final Map for a 6 Unit Live/Work Condominium Project]

Motion approving Final Map of 633 Hampshire Street, a Live/Work Condominium Project, being a subdivision of Lot 12, Assessor's Block No. 4025, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 633 Hampshire Street, a Live/Work Condominium Project", being a subdivision of Lot 12, Portion of Assessor's Block No. 4025, comprising 3 sheets, approved the 6th day of February, 2002 by Department of Public Works Order No. 173,435, be and the same is hereby approved and adopted as the Official Map of 633 Hampshire Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated June 1, 2000, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

DOCUMENTS DEPT.

APR - 2 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020439 **Date Passed:** March 25, 2002

Motion approving Final Map of 633 Hampshire Street, a Live/Work Condominium Project, being a subdivision of Lot 12, Assessor's Block No. 4025, and adopting findings pursuant to City Planning Code Section 101.1.

March 25, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020439

I hereby certify that the foregoing Motion was APPROVED on March 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020440 MOTION NO. M02-50

[Final Map for a 5 Unit Residential Condominium Project]

Motion approving Final Map of 147 Day Street, A Residential Condominium Project, being a subdivision of Lot 28A, Assessor's Block No. 6637, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 147 Day Street, A Residential Condominium Project", being a subdivision of Lot 28A, Portion of Assessor's Block No. 6637, comprising 4 sheets, approved the 20th day March, 2002 by Department of Public Works Order No. 173,436, be and the same is hereby approved and adopted as the Official Map of "147 Day Street, A Residential Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated January 18, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

DOCUMENTS DEPT.

APR - 2 2002

SAN FRANCISCO
PUBLIC LIBRARY

Department of Public Works
BOARD OF SUPERVISORS

41 Library
100 Larkin Street Govt Information Center

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020440 **Date Passed:** March 25, 2002

Motion approving Final Map of 147 Day Street, A Residential Condominium Project, being a subdivision of Lot 28A, Assessor's Block No. 6637, and adopting findings pursuant to City Planning Code Section 101.1.

March 25, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020440

I hereby certify that the foregoing Motion was APPROVED on March 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020487 MOTION NO. M02-51

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT

APR 2 3 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020487 Date Passed: April 8, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

April 8, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020487

I hereby certify that the foregoing Motion was APPROVED on April 8, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020516 MOTION NO. M02-52

[Final Map for a 5 Lot Airspace Subdivision Project]

Motion approving Final Map of 399 Fourth Street, a Subdivision of Airspace for Residential and Commercial Purposes, being a resubdivision of Lot 410, Assessor's Block No. 3751, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 399 Fourth Street, a Subdivision of Airspace for Residential and Commercial Purposes", being a resubdivision of Lot 410, Portion of Assessor's Block No. 3751, comprising 7 sheets, approved the 3rd day of April, 2002 by Department of Public Works Order No. 173,458, be and the same is hereby approved and adopted as the Official Map of 399 Fourth Street, 5 Lot Airspace Subdivision Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated June 19, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1, based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

DOCUMENTS DEPT.
APR 2 1 2002
SAN FRANCISCO
PUBLIC LIBRARY

d:\mapping - mapd.ap2751141bmm1ba799fmarkas.doc

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020516 **Date Passed:** April 8, 2002

Motion approving Final Map of 399 Fourth Street, a Subdivision of Airspace for Residential and Commercial Purposes, being a subdivision of Lot 410, Assessor's Block No. 3751, and adopting findings pursuant to City Planning Code Section 101.1.

April 8, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020516

I hereby certify that the foregoing Motion was APPROVED on April 8, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020532 MOTION NO. M02-53

AMENDMENT OF THE WHOLE

[Committee of the Whole]

Motion scheduling an off-site meeting of the Health and Human Services Committee at San Francisco General Hospital, 1001 Potrero Avenue, to discuss the Health Department budget on May 2, 2002 at 4:00 PM.

MOVED, That the Board of Supervisors' Health and Human Services Committee convene offsite at San Francisco General Hospital located at 1001 Potrero Avenue, on May 2, 2002 at 4:00 PM; and be it

FURTHER MOVED, That, in the event that a suitable location at San Francisco General Hospital is unavailable at this time, the Chair of the Health and Human Services Committee may call a special meeting no later than May 8, 2002 at 4:00 PM.

DOCUMENTS DEPT.

APR 2 3 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020532 Date Passed:

Motion scheduling an off-site meeting of the Health and Human Services Committee at San Francisco General Hospital to discuss the Health Department budget on May 2, 2002 at 4:00 PM.

April 8, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

April 8, 2002 Board of Supervisors — ADOPTED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020532

I hereby certify that the foregoing Motion was ADOPTED AS AMENDED on April 8, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020463 MOTION NO. M02-54

[Extend Budget Analyst agreement two years (through 2005), with two two-years options.]

Motion amending the Agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") by extending the Agreement for an additional two years (January 1, 2004 through December 31, 2005) with two additional two-year extensions being given to the City (for a total possible term extension of six years, through December 31, 2009), at an annual cost of $2,090,339, as may be adjusted annually.

WHEREAS, the Board of Supervisors of the City and County of San Francisco wishes to extend for two years, with three additional two-year options (to be exercised at the discretion of the Board of Supervisors), the existing Joint Venture Agreement to provided Budget Analyst services; now, therefore, be it

MOVED, That the Board of Supervisors hereby amends its Agreement with the Budget Analyst Joint Venture to extend it by two years through December 31, 2005, with two options for an additional period of two years each (to be exercised by the Board of Supervisors), for a total possible extension of six years, through December 31, 2001, at an annual cost of $2,090,339, as may be adjusted annually based on the average annual percentage change in total compensation granted to miscellaneous employees of the City performing similar work; and, be it

FURTHER MOVED, That the Clerk of the Board of Supervisors is authorized and directed to take all administrative steps necessary to carry out the intent of this motion.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020463 **Date Passed:** April 15, 2002

Motion amending the Agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") by extending the Agreement for an additional two years (January 1, 2004 through December 31, 2005) with two additional two-year extensions being given to the City (for a total possible term extension of six years, through December 31, 2009), at an annual cost of $2,090,339, as may be adjusted annually.

April 15, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020463

I hereby certify that the foregoing Motion was APPROVED on April 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

MAY 7 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020539 MOTION NO. M02-55

[Final Map for a 6 Unit Commercial Condominium Project]

Motion approving Final Map of 2185 – 87 – 91 – 93 Market Street, a Commercial Condominium Project, being a subdivision of Lot 136 in Assessor's Block No. 3558, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 2185 – 87 – 91 – 93 Market Street, a Commercial Condominium Project", being a subdivision of Lot 136, Portion of Assessor's Block No. 3558, comprising 6 sheets, approved the 10th day of April, 2002 by Department of Public Works Order No. 173,464, be and the same is hereby approved and adopted as the Official Map of "2185 – 87 – 91 – 93 Market Street, A Commercial Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated June 22, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020539 **Date Passed:** April 15, 2002

Motion approving Final Map of 2185 - 87 - 91 - 93 Market Street, a Commercial Condominium Project, being a subdivision of Lot 136 in Assessor's Block No. 3558, and adopting findings pursuant to City Planning Code Section 101.1.

April 15, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020539

I hereby certify that the foregoing Motion was APPROVED on April 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

MAY 7 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020540 MOTION NO. M02-56

[Final Map for a 9 Unit Residential Condominium Project]

Motion approving Final Map of 2189 Market Street, a Residential Condominium Project, being a subdivision of Lots 135 Assessor's Block No. 3558, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 2189 Market Street, a Residential Condominium Project", being a subdivision of Lots 135, Portion of Assessor's Block No. 3558, comprising 6 sheets, approved the 10th day of April, 2002 by Department of Public Works Order No. 173,465, be and the same is hereby approved and adopted as the Official Map of "2189 Market Street, A Residential Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated June 22, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020540 **Date Passed:** April 15, 2002

Motion approving Final Map of 2189 Market Street, a Residential Condominium Project, being a subdivision of Lots 135 Assessor's Block No. 3558, and adopting findings pursuant to City Planning Code Section 101.1.

April 15, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020540

I hereby certify that the foregoing Motion was APPROVED on April 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.
MAY 7 2002
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020544 MOTION NO. M02-57

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020544 **Date Passed:** April 15, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

April 15, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020544

I hereby certify that the foregoing Motion was APPROVED on April 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.
MAY 7 2002
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020525 MOTION NO. M02-58

[Appointment]

Motion rejecting the Mayor's appointment of Frank Cook to the Public Utilities Commission.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of Frank Cook to the Public Utilities Commission, received on April 2, 2002; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's appointment to the Public Utilities Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby rejects the Mayor's appointment of Frank Cook to the Public Utilities Commission.

Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

4/18/02

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020525 **Date Passed:** April 22, 2002

Motion rejecting the Mayor's appointment of Frank Cook to the Public Utilities Commission.

April 22, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

Absent: 2 - Newsom, Yee

File No. 020525

I hereby certify that the foregoing Motion was APPROVED on April 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.
MAY 7 2002
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020527 MOTION NO. M02-59

[Appointment]

Motion approving the Mayor's appointment of E. Dennis Normandy to the Public Utilities Commission, for the term ending January 15, 2006.

WHEREAS, Pursuant to Charter Section 3.100, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment of E. Dennis Normandy to the Public Utilities Commission, received by the Clerk of the Board on April 2, 2002; and

WHEREAS, Under Charter Section 3.100, the Board of Supervisors has the authority to reject the appointment by a two-thirds vote (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and the failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed; and

WHEREAS, The Board of Supervisors, by Motion 01-34, established a process to review the Mayor's appointment to the Public Utilities Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of E. Dennis Normandy to the Public Utilities Commission, for the term ending January 15, 2006.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020527 **Date Passed:** April 22, 2002

Motion approving the Mayor's appointment of E. Dennis Normandy to the Public Utilities Commission, for the term ending January 15, 2006.

April 22, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Gonzalez
Absent: 2 - Newsom, Yee

File No. 020527

I hereby certify that the foregoing Motion was APPROVED on April 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

MAY 7 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020619 MOTION NO. M02-60

[Final Map for a 35 Unit Residential / Commercial Condominium Project]

Motion approving Final Map of Chelsea Court, 851 Van Ness Avenue, a Residential / Commercial Condominium Project, being a subdivision of Lot 17 in Assessor's Block No. 738, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of Chelsea Court, 851 Van Ness Avenue, a Residential / Commercial Condominium Project", being a subdivision of Lot 17, Portion of Assessor's Block No. 738, comprising 10 sheets, approved the 17th day of April, 2002 by Department of Public Works Order No. 173,477, be and the same is hereby approved and adopted as the Official "Map of Chelsea Court, 851 Van Ness Avenue, A Residential / Commercial Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated December 18, 2000, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1. The proposed development is a component of the overall Western Addition A-2 Redevelopment Project Area, by its letter dated December 18, 2000; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

BY

2002 APR 17 AM 11:13

CLERK OF SUPERVISORS
SAN FRANCISCO
RECEIVED

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020619 **Date Passed:** April 22, 2002

Motion approving Final Map of Chelsea Court, 851 Van Ness Avenue, a Residential / Commercial Condominium Project, being a subdivision of Lot 17 in Assessor's Block No. 738, and adopting findings pursuant to City Planning Code Section 101.1.

April 22, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Newsom, Yee

File No. 020619

I hereby certify that the foregoing Motion was APPROVED on April 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

MAY 7 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020620 MOTION NO. M02-61

[Final Map for a 7 Unit Residential Condominium Project]

Motion approving Final Map of 725 Taraval Street, a Mixed Use Condominium Project, being a subdivision of Lot 45 Assessor's Block No. 2408, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 725 Taraval Street, a Mixed Use Condominium Project", being a subdivision of Lot 45, Portion of Assessor's Block No. 2408, comprising 6 sheets, approved the 17th day of April, 2002 by Department of Public Works Order No. 173,478, be and the same is hereby approved and adopted as the Official Map of "725 Taraval Street, A Residential Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated January 18, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

Department of Public Works
BOARD OF SUPERVISORS

2002 APR 17 AM 11:12

CLERK OF SUPERVISORS
SAN FRANCISCO
RECEIVED

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020620 **Date Passed:** April 22, 2002

Motion approving Final Map of 725 Taraval Street, a Mixed Use Condominium Project, being a subdivision of Lot 45 Assessor's Block No. 2408, and adopting findings pursuant to City Planning Code Section 101.1.

April 22, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Newsom, Yee

File No. 020620

I hereby certify that the foregoing Motion was APPROVED on April 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

MAY 7 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020621 MOTION NO. M02-62

[Final Map for a 11 Unit Live Work / Commercial Condominium Project]

Motion approving Final Map of 1328 Mission Street, a Live Work / Condominium Project, being a subdivision of Lot 20 in Assessor's Block No. 3508, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1328 Mission Street, a Live Work / Commercial Condominium Project", being a subdivision of Lot 20, Portion of Assessor's Block No. 3508, comprising 4 sheets, approved the 17th day of April, 2002 by Department of Public Works Order No. 173,476, be and the same is hereby approved and adopted as the Official Map of 1328 Mission Street, A Live Work / Commercial Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated July 26, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1, based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

BY

2002 APR 17 AM 11: 15

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020621 **Date Passed:** April 22, 2002

Motion approving Final Map of 1328 Mission Street, a Live Work / Condominium Project, being a subdivision of Lot 20 in Assessor's Block No. 3508, and adopting findings pursuant to City Planning Code Section 101.1.

April 22, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Newsom, Yee

File No. 020621

I hereby certify that the foregoing Motion was APPROVED on April 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.
MAY 7 2002
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020622 MOTION NO. M02-63

[Final Map for a 6 Unit Residential Condominium Project]

Motion approving Final Map of 955 Green Street, a Residential Condominium Project, being a subdivision of Lot 27 Assessor's Block No. 127, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 955 Green Street, a Residential Condominium Project", being a subdivision of Lot 27, Portion of Assessor's Block No. 127, comprising 9 sheets, approved the 17th day of April, 2002 by Department of Public Works Order No. 173,475, be and the same is hereby approved and adopted as the Official Map of "955 Green Street, A Residential Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated February 15, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

BY

Department of Public Works
BOARD OF SUPERVISORS

2002 APR 17 AM 11:14

BOARD OF SUPERVISORS
SAN FRANCISCO

RECEIVED

41 Library
100 Larkin Street Govt Information Center

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020622 **Date Passed:** April 22, 2002

Motion approving Final Map of 955 Green Street, a Residential Condominium Project, being a subdivision of Lot 27 Assessor's Block No. 127, and adopting findings pursuant to City Planning Code Section 101.1.

April 22, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Newsom, Yee

File No. 020622

I hereby certify that the foregoing Motion was APPROVED on April 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.
MAY 7 2002
SAN FRANCISCO
PUBLIC LIBRARY

41 Library
100 Larkin Street Govt Information Center

DOCUMENTS DEPT.

FILE NO. 020480 MAY 15 2002 MOTION NO. M02-64

[Zoning Appeal]

SAN FRANCISCO
PUBLIC LIBRARY

Motion approving decision of the Planning Commission by its Motion No. 16346, approving Conditional Use Application No. 2001.0926C, on property located at 417 31st Avenue, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission by its Motion No.16346 dated February 14, 2002, approving Conditional Use Application No. 2001.0926C, to mount a total of three panel antennas to the belfry of an existing Church, within an NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District, pursuant to Section 710.83 of the Planning Code, on property located at:

417 31st Avenue, southwest corner of 31st Avenue and Clement Street;

Lot 001, in Assessor's Block 1463,

be and the same is approved.

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020480 **Date Passed:** April 29, 2002

Motion approving decision of the Planning Commission by its Motion No. 16346, approving Conditional Use Application No. 2001.0926C, on property located at 417 31st Avenue, and adopting findings pursuant to Planning Code Section 101.1.

April 8, 2002 Board of Supervisors — CONTINUED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

April 29, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Daly, Gonzalez

File No. 020480

I hereby certify that the foregoing Motion was APPROVED on April 29, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020482

DOCUMENTS DEPT.
MAY 15 2002
SAN FRANCISCO
PUBLIC LIBRARY

MOTION NO. M02-65

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.0926C, on property located at 417 31st Avenue, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2001.0926C on property located at 417 31st Avenue, for action by the Board at its next meeting.

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020482 **Date Passed:** April 29, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.0926C, on property located at 417 31st Avenue, for action by the Board at its next meeting.

April 8, 2002 Board of Supervisors — CONTINUED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

April 29, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020482

I hereby certify that the foregoing Motion was APPROVED on April 29, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020636

DOCUMENTS DEPT.

MAY 15 2002

SAN FRANCISCO
PUBLIC LIBRARY

MOTION NO. M02-66

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020636 **Date Passed:** April 29, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

April 29, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Ammiano

File No. 020636

I hereby certify that the foregoing Motion was APPROVED on April 29, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

MAY 15 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020658 MOTION NO. M02-67

[Final Map for a 7 Unit Residential Condominium Project]

Motion approving Final Map of 2436 Great Highway, A Residential Condominium Project, being a subdivision of Lot 39, Assessor's Block No. 2378, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 2436 Great Highway, A Residential Condominium Project", being a subdivision of Lot 39, Portion of Assessor's Block No. 2378, comprising 3 sheets, approved the 22nd day of April, 2002 by Department of Public Works Order No. 173,484, be and the same is hereby approved and adopted as the Official Map of 2436 Great Highway, A Residential Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated July 23, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020658 **Date Passed:** April 29, 2002

Motion approving Final Map of 2436 Great Highway, A Residential Condominium Project, being a subdivision of Lot 39, Assessor's Block No. 2378, and adopting findings pursuant to City Planning Code Section 101.1.

April 29, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Ammiano

File No. 020658

I hereby certify that the foregoing Motion was APPROVED on April 29, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

MAY 15 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020659 MOTION NO. M02-68

[Final Map for a 20 Unit Live/Work Condominium Project]

Motion approving Final Map of 700 Illinois Street, a Live/Work Condominium Project, being a subdivision of Lot 4, Assessor's Block No. 4045, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 700 Illinois Street, a Live/Work Condominium Project", being a subdivision of Lot 4, Portion of Assessor's Block No. 4045, comprising 5 sheets, approved the 22nd day of April, 2002 by Department of Public Works Order No. 173,492, be and the same is hereby approved and adopted as the Official Map of 700 Illinois Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated January 28, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020659 **Date Passed:** April 29, 2002

Motion approving Final Map of 700 Illinois Street, a Live/Work Condominium Project, being a subdivision of Lot 4, Assessor's Block No. 4045, and adopting findings pursuant to City Planning Code Section 101.1.

April 29, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Ammiano

File No. 020659

I hereby certify that the foregoing Motion was APPROVED on April 29, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

MAY 15 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020660 MOTION NO. M02-69

[Final Map for a 17 Unit Live/Work Condominium Project]

Motion approving Final Map of 88 Guy Place, a Live/Work Condominium Project, being a subdivision of Lot 63, Assessor's Block No. 3749, and adopting finding pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 88 Guy Place, a Live/Work Condominium Project", being a subdivision of Lot 63, Portion of Assessor's Block No. 3749, comprising 7 sheets, approved the 22 day of April, 2002 by Department of Public Works Order No. 173,493, be and the same is hereby approved and adopted as the Official Map of 88 Guy Place, A Live Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated October 15, 1996, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020660 **Date Passed:** April 29, 2002

Motion approving Final Map of 88 Guy Place, a Live/Work Condominium Project, being a subdivision of Lot 63, Assessor's Block No. 3749, and adopting finding pursuant to City Planning Code Section 101.1.

April 29, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Ammiano

File No. 020660

I hereby certify that the foregoing Motion was APPROVED on April 29, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

FILE NO. 020667 MAY 15 2002 MOTION NO. M02-70

SAN FRANCISCO
PUBLIC LIBRARY

[Adopting findings related to the conditional use appeal on property located at 417-31st Avenue.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.0926C (which authorized, subject to certain conditions, the mounting of three panel antennas to the belfry of an existing Church) within an NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District, pursuant to Section 710.83 of the Planning Code, on property located at 417-31st Avenue, southwest corner of 31st Avenue and Clement Street (Lot 001 in Assessor's Block 0819.

The appellants, Louise Chegwidden and Minako Sakurai, filed a timely appeal on March 18, 2002, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2001.0926C, approved by Commission Motion No. 16346 on February 14, 2002) to mount a total of three panel antennas to the belfry of an existing Church, within an NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District, pursuant to Section 710.83 of the Planning Code, on property located at 417-31st Avenue and Clement Street (Lot 001 in Assessor's Block 1463).

The public hearing before the Board of Supervisors on said appeal was scheduled for April 8, 2002. On April 8 the Board continued the public hearing on the appeal to April 29, 2002. On April 29 the Board conducted a duly noticed hearing on the appeal from the Planning Commission's approval referred to in the previous paragraph. At the April 29 meeting the Board of Supervisors approved the decision of the Planning Commission by its Motion No. 16346, which approved Conditional Use Application No. 2001.0926C.

In reviewing the appeal of the approval of the requested conditional use authorization

this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16346, dated February 14, 2002; and, be it

FURTHER MOVED, That the Board of Supervisors further took notice that the San Francisco Department of Planning determined that the project was categorically exempt from the environmental review process pursuant to exemption classes 1, 3 and 11 of Title 14 of the California Administrative Code, and the Planning Commission reviewed and concurred with that determination. The Board further finds that there have been no substantial project changes, no substantial changes in project circumstances, and no new information of substantial importance that would change the determination of categorical exemption issued by the Planning Department; and, be it

FURTHER MOVED, That the Board specifically adopts as its own, and incorporates by reference herein as though fully set forth, the findings made by the Planning Commission in its Motion No. 16346, dated February 14, 2002, that the proposed project is in conformity with, and would implement the policies of, the City's General Plan, and is consistent and complies with the Priority Policies of Planning Code Section 101.1; and, be it

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, approved the decision of the Planning Commission by its Motion No. 16346, dated February 14, 2002, and authorized, subject to the conditions imposed by the Planning Commission, the mounting of a total of three panel antennas to the belfry of an existing Church, within an NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District, pursuant to Section 710.83 of the Planning Code,

on property located at 417-31st Avenue and Clement Street (Lot 001 in Assessor's Block 1463).

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020667 **Date Passed:** May 6, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.0926C (which authorized, subject to certain conditions, the mounting of three panel antennas to the belfry of an existing Church) within an NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District, pursuant to Section 710.83 of the Planning Code, on property located at 417-31st Avenue, southwest corner of 31st Avenue and Clement Street (Lot 001 in Assessor's Block 0819.

May 1, 2002 Board of Supervisors — REFERRED: Board of Supervisors

May 6, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

File No. 020667

I hereby certify that the foregoing Motion was APPROVED on May 6, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

MAY 15 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020674 MOTION NO. M02-71

[Final Map for a 7 Unit Mixed Use Condominium Project]

Motion approving Final Map of 4851 – 4855 Mission Street, a Mixed Use Condominium Project, being a subdivision of Lot 29, Assessor's Block No. 6272, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 4851 - 4855 Mission Street, A Mixed Use Condominium Project", being a subdivision of Lot 29, Portion of Assessor's Block No. 6272, comprising 3 sheets, approved the 1st day of May, 2002 by Department of Public Works Order No. 173,499, and the same is hereby approved and adopted as the Official Map of 4851 - 4855 Mission Street, A Mixed Use Condominium Project.

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated July 31, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, - L.S.
County Surveyor

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020674 **Date Passed:** May 6, 2002

Motion approving Final Map of 4851 - 4855 Mission Street, a Mixed Use Condominium Project, being a subdivision of Lot 29, Assessor's Block No. 6272, and adopting findings pursuant to City Planning Code Section 101.1.

May 6, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020674

I hereby certify that the foregoing Motion was APPROVED on May 6, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020664 MOTION NO. M02-72

[Release of Reserve Funds, San Francisco Local Agency Formation Commission (SF LAFCO).]

Motion releasing $125,000 placed on Board of Supervisors Reserve for the San Francisco Local Agency Formation Commission (SF LAFCO) to pay for energy consulting services and legal services.

WHEREAS, On December 5, 2000, the Board of Supervisors appropriated $754,250 from the General Fund Reserve to fund the adoption of the San Francisco Agency Formation Commission (SF LAFCO) budget (File 001995, Ordinance 308-00); and

WHEREAS, $604,250 of these funds were placed on reserve pending submission by the SF LAFCO of a revised budget proposal; and

WHEREAS, The SF LAFCO has requested the release of funds in the amount of $125,000 to pay for energy consulting services and legal services; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby release $125,000 placed on reserve for the San Francisco Local Agency Formation Commission to pay for energy consulting services and legal services.

DOCUMENTS DEPT.

MAY 2 8 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020664 Date Passed: May 13, 2002

Motion releasing $125,000 placed on Board of Supervisors Reserve for the San Francisco Local Agency Formation Commission (SF LAFCO) to pay for energy consulting services and legal serivces.

May 13, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Hall, Newsom

File No. 020664

I hereby certify that the foregoing Motion was APPROVED on May 13, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020630 MOTION NO. M02-73

[Appointment]

Motion appointing Michael Garcia, term to be determined, to the Ethics Commission.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Ethics Commission, pursuant to the provisions of the San Francisco Charter Section 15.100, for the term specified:

Michael Garcia, new position, Seat No. 1, must be broadly representative of the general public, for the unexpired portion of a six-year term ending date to be determined.

DOCUMENTS DEPT.

MAY 2 8 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020630 **Date Passed:** May 13, 2002

Motion appointing Michael Garcia, term to be determined, to the Ethics Commission.

May 13, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Daly
Absent: 1 - Newsom

File No. 020630

I hereby certify that the foregoing Motion was APPROVED on May 13, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020712 MOTION NO. M02-74

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT.

MAY 2 8 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

100 Larkin Street Govt Information Center

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020712 **Date Passed:** May 13, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

May 13, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 2 - McGoldrick, Newsom

File No. 020712

I hereby certify that the foregoing Motion was APPROVED on May 13, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020821 MOTION NO. M02-75

[Final Map for a 5 Unit Mixed Use Condominium Project]

Motion approving Final Map of 3151 – 3153 – 3155 – 3157 - 3159 Sacramento Street, a Mixed Use Condominium Project, being a subdivision of Lot 31 in Assessor's Block No. 1023, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 3151 – 3153 – 3155 – 3157 - 3159 Sacramento Street, a Mixed Use Condominium Project", being a subdivision of Lot 31, Portion of Assessor's Block No. 1023, comprising 4 sheets, approved the 15th day of May, 2002 by Department of Public Works Order No. 173,522, be and the same is hereby approved and adopted as the Official Map of "3151 – 3153 – 3155 – 3157 - 3159 Sacramento Street, A Mixed Use Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated October 3. 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

Department of Public Works
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JUN 5 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020821 **Date Passed:** May 20, 2002

Motion approving Final Map of 3151 - 3153 - 3155 - 3157 - 3159 Sacramento Street, a Mixed Use Condominium Project, being a subdivision of Lot 31 in Assessor's Block No. 1023, and adopting findings pursuant to City Planning Code Section 101.1.

May 20, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

File No. 020821

I hereby certify that the foregoing Motion was APPROVED on May 20, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020822 MOTION NO. M02-76

[Final Map for a 13 Unit Commercial / Residential Condominium Project]

Motion approving Final Map of 2255 Bush Street a Commercial / Residential Condominium Project, being a subdivision of Lot 24 in Assessor's Block No. 678, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 2255 Bush Street, A Commercial / Residential Condominium Project", being a subdivision of Lot 24, Portion of Assessor's Block No. 678 comprising 5 sheets, approved the 15th day of May, 2002 by Department of Public Works Order No. 173,519, be and the same is hereby approved and adopted as the "Official Map of 2255 Bush Street, A Commercial / Residential Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated May 26, 2000, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1. The proposed development is a component of the overall Western Addition A-2 Redevelopment Project Area, by its letter dated May 2, 2000.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

DOCUMENTS DEPT.

JUN 5 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020822 **Date Passed:** May 20, 2002

Motion approving Final Map of 2255 Bush Street a Commercial / Residential Condominium Project, being a subdivision of Lot 24 in Assessor's Block No. 678, and adopting findings pursuant to City Planning Code Section 101.1.

May 20, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

File No. 020822

I hereby certify that the foregoing Motion was APPROVED on May 20, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020823 MOTION NO. M02-77

[Final Map for a 8 Unit Commercial / Residential Condominium Project]

Motion approving Final Map of 801 Greenwich Street a Commercial / Residential Condominium Project, being a subdivision of Lot 1 in Assessor's Block No. 91, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 801 Greenwich Street, A Commercial / Residential Condominium Project", being a subdivision of Lot 1, Portion of Assessor's Block No. 91, comprising 4 sheets, approved the 15th day of May, 2002 by Department of Public Works Order No. 173,521, be and the same is hereby approved and adopted as the Official Map of "801 Greenwich Street, A Commercial / Residential Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated August 13, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

DOCUMENTS DEPT
JUN 5 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020823 **Date Passed:** May 20, 2002

Motion approving Final Map of 801 Greenwich Street a Commercial / Residential Condominium Project, being a subdivision of Lot 1 in Assessor's Block No. 91, and adopting findings pursuant to City Planning Code Section 101.1.

May 20, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

File No. 020823

I hereby certify that the foregoing Motion was APPROVED on May 20, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020824 MOTION NO. M02-78

[Final Map for a 248 Unit Commercial / Residential Condominium Project]

Motion approving Final Map of Bridgeview, 400 Beale Street a Residential / Commercial Condominium Project, being a subdivision of Lot 5 in Assessor's Block No. 3766, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of Bridgeview, 400 Beale Street, A Residential / Commercial Condominium Project", being a subdivision of Lot 5, Portion of Assessor's Block No. 3766 comprising 16 sheets, approved the 15th day of May, 2002 by Department of Public Works Order No. 173,520, be and the same is hereby approved and adopted as the "Official Map of Bridgeview, 400 Beale Street, A Residential / Commercial Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated June 19, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JUN 5 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020824 **Date Passed:** May 20, 2002

Motion approving Final Map of Bridgeview, 400 Beale Street a Residential / Commercial Condominium Project, being a subdivision of Lot 5 in Assessor's Block No. 3766, and adopting findings pursuant to City Planning Code Section 101.1.

May 20, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

File No. 020824

I hereby certify that the foregoing Motion was APPROVED on May 20, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020850 MOTION NO. M02-79

[Final Map for a 7 Unit Commercial / Residential Condominium Project]

Motion approving Final Map of 2546 3rd Street a Commercial / Residential Condominium Project, being a merger and resubdivision of Lots 8 and 9 in Assessor's Block No. 4172, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 2546 3rd Street, A Commercial / Residential Condominium Project", being a merger and resubdivision of Lots 8 and 9, Portion of Assessor's Block No. 4172 comprising 4 sheets, approved the 22nd day of May, 2002 by Department of Public Works Order No. 173,538, be and the same is hereby approved and adopted as the Official Map of 2546 3rd Street, A Commercial / Residential Condominium Project.

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated August 30, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020850 Date Passed: May 28, 2002

Motion approving Final Map of 2546 3rd Street a Commercial / Residential Condominium Project, being a subdivision of Lots 8 and 9 in Assessor's Block No. 4172, and adopting findings pursuant to City Planning Code Section 101.1.

May 28, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020850

I hereby certify that the foregoing Motion was APPROVED on May 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Madeleine Licavoli
Acting Clerk of the Board

DOCUMENTS DEPT.

JUL 16 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020676 MOTION NO. M02-80

[Amending the Board's process for considering appointments to the Planning Commission and the Board of Appeals.]

Motion amending Rule 2.31 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to amend the process for the Board's consideration of appointments to the Planning Commission and the Board of Appeals, consistent with Charter Sections 4.105 and 4.106.

Note: Additions are *single-underline italics Times New Roman*; deletions are ~~*strikethrough italics Times New Roman*~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

WHEREAS, The voters of the City and County of San Francisco approved Proposition D at the March 5, 2002, municipal election, and proposition D amended the process for appointing members to the City's Planning Commission and Board of Appeals; and

WHEREAS, In response to the approval of Proposition D, the Board of Supervisors needs to amend Rule 2.31, which governs how the Board of Supervisors considers appointments to the Planning Commission, the Board of Appeals and the Public Utilities Commission; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby amends Rule 2.31 of the Board's Rules of Order, to read as follows:

2.31. Consideration of Mayoral Appointments to the ~~*Planning Commission, the Board of Appeals, and the*~~ Public Utilities Commission*, and Mayoral and Presidential Nominations to the Planning Commission and the Board of Appeals*. Upon receipt of each and every Notice of Appointment from the Mayor appointing a member to the ~~*Planning Commission, the Board of Appeals, or the*~~ Public Utilities Commission, the Clerk of the Board shall immediately prepare and introduce three motions for each such appointment. The Clerk shall refer the motions to

Clerk of the Board
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JUL 23 2002
SAN FRANCISCO
PUBLIC LIBRARY

the Rules Committee for hearing as soon as possible. If the Rules Committee is unable to schedule and consider the motions within a time period that will allow for full Board consideration before the expiration of the thirty day period provided for in Charter Section 3.100, then the Clerk shall place the motions on the calendar (Adoption Without Committee Reference) of the last Board meeting at which the Board may consider the proposed motions before the thirty days expires. One motion shall support the appointment. A second motion shall reject the appointment. The third motion shall take no position on the appointment. The motion rejecting the appointment shall state in its text that the motion requires a two-thirds vote (eight votes) for approval under Section 3.100 of the City Charter. Each Committee and Board calendar upon which motions prepared under this Rule appear shall also state that Section 3.100 of the City Charter provides that the Board of Supervisors has the authority to reject the appointment by a two-thirds vote of the Board (eight votes) within thirty days following transmittal of the Mayor's Notice of Appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day time period shall result in the appointee continuing to serve as appointed.

Upon receipt of each and every Notice of Nomination from the Mayor or the President of the Board of Supervisors nominating a member to the Planning Commission or the Board of Appeals, the Clerk of the Board shall immediately prepare and introduce a motion approving and a motion rejecting each such appointment. The Clerk shall refer the motions to the Rules Committee for hearing as soon as possible. If the Rules Committee is unable to schedule and consider the motions within a time period that will allow for full Board consideration before the expiration of the sixty day period provided for in Charter Section 4.105 or 4.106, then the Clerk shall place the motions on the calendar (Adoption Without Committee Reference) of the last Board meeting at which the Board may consider the proposed motions before the sixty days expires. Each Committee and Board calendar upon which motions prepared under this Rule appear shall also state that Section 4.105 or 4.106 of the City Charter

provides that a nomination made under one of these sections is subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. The calendar shall also state that if the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk, then the nominee shall be deemed approved.

DOCUMENTS DEPT.

JUL 16 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020676 **Date Passed:** May 28, 2002

Motion amending Rule 2.31 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to amend the process for the Board's consideration of appointments to the Planning Commission and the Board of Appeals, consistent with Charter Sections 4.105 and 4.106.

May 28, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020676

I hereby certify that the foregoing Motion was APPROVED on May 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Madeleine Ficarelli
for Gloria L. Young
Clerk of the Board

FILE NO. 020762 MOTION NO. M02-81

[Directing the Clerk of the Board to distribute reports requested by the Board of Supervisors from the Controller, Budget Analyst and Legislative Analyst on homeless expenditures and best practices to various City department heads, elected officials and policymakers.]

Motion directing the Clerk of the Board to distribute reports requested by the Board of Supervisors from the Controller, Budget Analyst and Legislative Analyst on homeless expenditures and best practices to various City department heads, elected officials and other policymakers.

WHEREAS, The San Francisco Board of Supervisors has exercised its authority to request the Legislative Analyst and Budget Analyst and urge the Controller to prepare reports about the issue of homelessness that identify expenditures on homeless service programs and best practices used in other jurisdictions; and

WHEREAS, These reports have tremendous value in informing the day-to-day operations of City departments and the policymaking activities of the City and County of San Francisco; now, therefore be it

RESOLVED, That the Board of Supervisors directs the Clerk of the Board to distribute these reports to San Francisco's local, state and federal elected officials, City department heads, members of the Local Homeless Coordinating Board, members of the Health and Human Services Commissions and any members of the public provided to the Clerk's Office by members of the Board of Supervisors; and be it

FURTHER RESOLVED, That the reports to be distributed are those published by the Controller, Legislative Analyst or Budget Analyst from September 2000 to the present on the subject of homelessness at the direction of an individual member or the direction or urging of the entire Board of Supervisors.

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020762 **Date Passed:** May 28, 2002

Motion directing the Clerk of the Board to distribute reports requested by the Board of Supervisors from the Controller, Budget Analyst and Legislative Analyst on homeless expenditures and best practices to various City departments heads, elected officials and other policymakers.

May 28, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020762

I hereby certify that the foregoing Motion was APPROVED on May 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Madeleine Licavoli
Acting Clerk of the Board

DOCUMENTS DEPT.

JUN 28 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020841 MOTION NO. M02-82

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

p:\bl\421.020841.wp doc

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 020841 **Date Passed:** May 28, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

May 28, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020841

I hereby certify that the foregoing Motion was APPROVED on May 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Madeleine Licavoli
Acting Clerk of the Board

DOCUMENTS DEPT.

JUN 28 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020870 MOTION NO. M02-83

[Motion to calendar item #020626.]

Motion to direct the Clerk of the Board to calendar a motion that would order file # 020626 returned to the Board.

WHEREAS, File #020626 is currently assigned to the Rules and Audits Committee; and,

WHEREAS, It is in the interests of the City and County of San Francisco that Supervisor Leland Yee be appointed to the Bay Area Air Quality Management District as soon as possible; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco direct the Clerk of the Board to calendar a motion for the May 28, 2002 meeting that would order file #020626 (motion applying Supervisor Leland Yee to a term ending February 1, 2005 to the Bay Area Air Quality Management District) returned to the Board of Supervisors for consideration at its June 3, 2002 meeting.

DOCUMENTS DEPT.

JUL 23 2002

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020870 **Date Passed:** May 28, 2002

Motion to direct the Clerk of the Board to calendar a motion that would order File No. 020626 returned to the Board.

May 28, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Daly

File No. 020870

I hereby certify that the foregoing Motion was APPROVED on May 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Madeleine Licavoli
Acting Clerk of the Board

DOCUMENTS DEPT.
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020899 MOTION NO. M02-84

[Motion to Suspend Rule 2.28.1 Regarding the Requirement for Introduction of a Proposed Charter Amendment at a Regular Board Meeting Not Less than 169 days Prior to an Election.]

Motion to suspend Board of Supervisors Rules of Order, Rule 2.28.1, pursuant to Rule 4.37, to permit the introduction of a proposed Charter amendment to amend Appendix A8.506-2 relating to retirement benefits for miscellaneous safety employees.

WHEREAS, Board of Supervisors Rules of Order Rule 2.28.1 provides that a proposed Charter amendment shall be introduced by a Supervisor at a regular Board meeting held not less than 169 days prior to the election at which it is to be acted upon by the electors; and,

WHEREAS, The last regular Board meeting held 169 days prior to the November 5, 2002 election was on Tuesday, May 20, 2002; and,

WHEREAS, A proposed Charter amendment amending Appendix A8.506-2 relating to retirement benefits for miscellaneous safety employees is in the public interest and should be submitted to the voters for the November 5, 2002 ballot; and,

WHEREAS, The proposed Charter amendment is on file with the Clerk of the Board of Supervisors in File No. 020899, which is hereby declared to be a part of this motion as if set forth fully herein; and,

WHEREAS, This proposed Charter amendment will be introduced at the next regularly scheduled Board meeting held on Monday, May 28, 2002, but within the 169 days prior to the November 5, 2002 election; now, therefore, be it

MOVED, That, pursuant to Rule 4.37, Rule 2.28.1 is suspended for the purpose of permitting introduction of the proposed Charter amendment to amend Appendix A8.506-2 relating to retirement benefits for miscellaneous safety employees; and, be it

FURTHER MOVED, That the Clerk of the Board shall refer the proposed Charter amendment to the appropriate Board committee for public hearing.

Supervisor Ammiano
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JUL 23 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020899 **Date Passed:** May 28, 2002

Motion to suspend Board of Supervisors Rules of Order, Rule 2.28.1, pursuant to Rule 4.37, to permit the introduction of a proposed Charter amendment to amend Appendix A8.506-2 relating to retirement benefits for miscellaneous safety employees.

May 28, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020899

I hereby certify that the foregoing Motion was APPROVED on May 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Madeleine Licavoli
Acting Clerk of the Board

DOCUMENTS DEPT.
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020965 MOTION NO. M02-85

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020965 **Date Passed:** June 10, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

June 10, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Yee
Absent: 3 - Hall, Maxwell, Sandoval

File No. 020965

I hereby certify that the foregoing Motion was APPROVED on June 10, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT.
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

Madeleine Licavoli
Acting Clerk of the Board

FILE NO. 020626 MOTION NO. M02-86

[Appointment]

Motion appointing Supervisor Leland Yee, term ending February 1, 2005 to the Bay Area Air Quality Management District Board of Directors.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated Supervisor to the Bay Area Air Quality Management District, pursuant to the provisions of the California Health and Safety Code, Section 40221 and 40221.5, for the term specified.

Supervisor Leland Yee, succeeding Supervisor Tony Hall, Seat No. 1, must be a member of the San Francisco Board of Supervisors, for the unexpired portion of a four-year term ending February 1, 2005.

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020626 **Date Passed:** June 3, 2002

Motion appointing Supervisor Leland Yee, term ending February 1, 2005 to the Bay Area Air Quality Management District Board of Directors.

June 3, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Yee

File No. 020626

I hereby certify that the foregoing Motion was APPROVED on June 3, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.
JUN 28 2002
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020670 MOTION NO. M02-87

[Board Off-site Meetings]

Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on June 19, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

WHEREAS, In the November 1993 election, Proposition O was passed by the voters of San Francisco to allow committee meetings of the San Francisco Board of Supervisors to be held outside of City Hall; and

WHEREAS, The 1996 Charter Section 2.103 continued to allow meetings of the San Francisco Board of Supervisors committees to be held outside of City Hall; and

WHEREAS, The Board of Supervisors on January 14, 2002, adopted Rule 5.7 of its Rules of Order which created the City and School District Committee to hear measures concerning issues of mutual interest that affect the City and School District, its employees, its students, and the families of its students, including the issue of the public use of the School District facilities; and

WHEREAS, The Board of Education on June 22, 1999 adopted Rule 5.6, Policy No. P120, creating the City and School District Committee with the same purpose as cited above and stating the City and School District Committee shall be comprised of two members of the Board of Supervisors and two members of the Board of Education; and,

WHEREAS, At the October 24, 2001 meeting of the City and School District Committee, it was decided to hold bi-monthly meetings at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First floor, San Francisco at 3:00 p.m.; now, therefore, be it

**Supervisor Ammiano **
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JUL 23 2002
SAN FRANCISCO
PUBLIC LIBRARY

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby order that the June 19, 2002 meeting of the City and School District Committee be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First floor, San Francisco at 3:00 p.m.; and be it,

FURTHER MOVED, That the Clerk of the Board of Supervisors is directed to prepare the necessary notices and postings pursuant to Charter Section 2.103.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020670 **Date Passed:** May 28, 2002

Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on June 19, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

May 28, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020670

I hereby certify that the foregoing Motion was APPROVED on May 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT

JUL 16 2002

SAN FRANCISCO
PUBLIC LIBRARY

Gloria L. Young
Clerk of the Board

FILE NO. 020776 MOTION NO. M02-88

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 16372, approving Conditional Use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission by its Motion No.16372 dated April 11, 2002, approving Conditional Use Application No. 2001.1027CR to install and operate a total of six antennas on a replacement light pole and related equipment cabinets on an interior wall of the City-owned Marina Off-Street Parking Garage, within an NC-2 (Small Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code; and adopting a finding of consistency with the General Plan for the proposed project located at::

3224-3252 Pierce Street, east side between Lombard and Chestnut Streets;

Lots 009, 010, 011, 012 and 013, in Assessor's Block 0490,

be and the same is disapproved.

Clerk of the Board
BOARD OF SUPERVISORS

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020776 Date Passed: June 17, 2002

Motion disapproving decision of the Planning Commission by its Motion No. 16372, approving Conditional Use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, and adopting findings pursuant to Planning Code Section 101.1.

June 10, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

June 17, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

File No. 020776

I hereby certify that the foregoing Motion was APPROVED on June 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT

JUL 16 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020777 MOTION NO. M02-89

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2001.0926C on property located at 3224-3252 Pierce Street, for action by the Board at its next meeting.

Clerk of the Board
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JUL 23 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020777 **Date Passed:** June 17, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1027CR, on property located at 3224-3252 Pierce Street, for action by the Board at its next meeting.

June 10, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 2 - Hall, Sandoval

June 17, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

File No. 020777

I hereby certify that the foregoing Motion was APPROVED on June 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

JUL 16 2002

SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 020837 MOTION NO. M02-90

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 16382, approving Conditional Use Application No. 2002.0057C, on property located at 5200 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That decision of the Planning Commission by its Motion No.16382 dated April 18, 2002, approving Conditional Use Application No. 2002.0057C to mount a total of six panel antennas to an existing light pole on the upper deck of the three-level Geary Mall Parking Garage, within an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 712.83 of the Planning Code for the proposed project located at:

5200 Geary Boulevard, (Geary Mall Parking Garage) north side between 16th and 17th Avenues; Lot 045, in Assessor's Block 1448,

be and the same is disapproved.

Clerk of the Board
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JUL 23 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020837 **Date Passed:** June 17, 2002

Motion disapproving decision of the Planning Commission by its Motion No. 16382, approving Conditional Use Application No. 2002.0057C, on property located at 5200 Geary Boulevard, and adopting findings pursuant to Planning Code Section 101.1

June 17, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

File No. 020837

I hereby certify that the foregoing Motion was APPROVED on June 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT.
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

Gloria L. Young
Clerk of the Board

FILE NO. 020838 MOTION NO. M02-91

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0057C, on property located 5200 Geary Boulevard, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2002.0057C on property located at 5200 Geary Boulevard, for action by the Board at its next meeting.

Clerk of the Board
BOARD OF SUPERVISORS

DOCUMENTS DEPT.
JUL 23 2002
SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020838 **Date Passed:** June 17, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0057C, on property located 5200 Geary Boulevard, for action by the Board at its next meeting.

June 17, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

File No. 020838

I hereby certify that the foregoing Motion was APPROVED on June 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

Gloria L. Young
Clerk of the Board

FILE NO. 020950 MOTION NO. M02-92

[Final Map for a 5 Lot Merger and 11 Lot Resubdivision Project]

Motion approving Final Map of Karen Court (63 Karen Court), being a Merger and Resubdivision of Lots 30, 31, 77, 78 and 79, Assessor's Block No. 6117, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of Karen Court", being a Merger and Resubdivision of Lots 30, 31, 77, 78 and 79, Portion of Assessor's Block No. 6117, comprising 2 sheets, approved the 5th day June, 2002 by Department of Public Works Order No. 173,559, be and the same is hereby approved and adopted as the Official Map of "Karen Court", and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated January 9, 1998, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

Department of Public Works
BOARD OF SUPERVISORS

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020950 **Date Passed:** June 17, 2002

Motion approving Final Map of Karen Court (63 Karen Court), being a Merger and Resubdivision of Lots 30, 31, 77, 78 and 79, Assessor's Block No. 6117, and adopting findings pursuant to City Planning Code Section 101.1.

June 17, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Gonzalez, Hall, Yee

File No. 020950

I hereby certify that the foregoing Motion was APPROVED on June 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT.
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

Gloria L. Young
Clerk of the Board

FILE NO. 020869 MOTION NO. M02-93

[Legislative Analyst Request]

Motion asking the Legislative Analyst to prepare a report comparing the policies, best practices and procedures of the top performing homicide and robbery divisions of large city Police Departments nationwide.

MOVED, That the Office of the Legislative Analyst to prepare a report comparing the policies, best practices and procedures of the top performing homicide and robbery divisions of large city Police Departments nationwide; and be it

FURTHER MOVED, That this report should have an emphasis on San Diego, San Jose and Indianapolis; and be it

FURTHER MOVED, That this report be generated within 90 days of this request.

DOCUMENTS DEPT.
JUL 23 2002
SAN FRANCISCO

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020869 **Date Passed:** May 28, 2002

Motion asking the Legislative Analyst to prepare a report comparing the policies, best practices and procedures of the top performing homicide and robbery divisions of large city Police Departments nationwide.

May 28, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020869

I hereby certify that the foregoing Motion was APPROVED on May 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT.
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

Madeleine Tiravoli

Gloria L. Young
Clerk of the Board

FILE NO. 020949 MOTION NO. M02-94

[Preparation of findings to disapprove certification of San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project FSEIR]

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco.

WHEREAS, The San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project (collectively the "Projects") are proposed to be constructed at Piers 30-32, on Seawall Lot 330, and in the location of Piers 34 and 36 and consist of three principal components: a mixed-use/cruise terminal component proposed for Pier 30-32, a residential component proposed for Seawall Lot 330 (collectively "The Cruise Terminal Mixed Use Project"); and a public open space proposed for the locations of Piers 34 and 36 (the "Brannan Street Wharf Project"). The projects are situated just south of the Bay Bridge along The Embarcadero between Bryant and Townsend Streets; and

WHEREAS, The Port of San Francisco and San Francisco Cruise Terminal, LLC (collectively "the project sponsor") submitted an application for environmental review of the Projects on November 29, 2000 (City Planning File No. 2000.1229E); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") determined that a Supplemental Environmental Impact Report ("SEIR") was required to supplement the Waterfront Land Use Plan Final EIR (City Planning File No. 94.115E, certified on January 9, 1997), and provided public notice of that determination by publication in a newspaper of general circulation on June 9, 2001; and

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO

WHEREAS, On November 17, 2001, the Department published the Draft Supplemental Environmental Impact Report ("DSEIR") for the Projects; and

WHEREAS, On December 20, 2001, the Commission held a duly noticed public hearing on the DSEIR, at which time opportunity for public comment was received on the DSEIR, and written comments were received through January 16, 2002; and

WHEREAS, The Department prepared responses to comments on environmental issues received at the public hearing on the DSEIR and submitted in writing to the Department, prepared revisions to the text of the DSEIR, and corrected errors in the DSEIR, and published a Draft Summary of Comments and Responses on April 30, 2002; and

WHEREAS, A Final Supplemental Environmental Impact Report ("FSEIR") for the Projects was prepared by the Department, consisting of the DSEIR, all supporting studies and materials, any consultations and comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, and an errata thereto, all as required by law; and

WHEREAS, On May 9, 2002, the Commission reviewed and considered the FSEIR and, by Motion No. 16404, found that the contents of said report and the procedures through which the FSEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 16404, the Commission found (1) that the FSEIR is adequate, accurate and objective, and reflects the independent judgment and analysis of the Department and the Commission and that the Summary of Comments and Responses contained no significant revisions to the DSEIR; (2) adopted findings relating to significant impacts associated with the Projects; and (3) certified the completion of the FSEIR in

compliance with CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated May 28, 2002, Bluewater Network filed a timely appeal of the FSEIR certification to the Board of Supervisors pursuant to Administrative Code Section 31.16(a); and

WHEREAS, The Board of Supervisors held a duly-noticed public hearing on June 24, 2002 to consider the appeal of the FSEIR; and

WHEREAS, The FSEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Planning Commission and the public; these files are available for public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before the Board of Supervisors; and

WHEREAS, This Board has reviewed and considered the FSEIR and the FSEIR files, and heard testimony and received public comment and written correspondence from the public and public agencies regarding the adequacy of the FSEIR; now, therefore, be it

MOVED, That this Board directs the Clerk of the Board to prepare findings specifying the basis for the Board's disapproval of the certification of the FSEIR by the Planning Commission.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020949 **Date Passed:** June 24, 2002

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco.

June 24, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020949

I hereby certify that the foregoing Motion was APPROVED on June 24, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT.

JUL 16 2002

SAN FRANCISCO
PUBLIC LIBRARY

Gloria L. Young
Clerk of the Board

FILE NO. 021092 MOTION NO. M02-95

[Minor Sidewalk Encroachment Appeal]

Motion affirming the Department of Public Works' denial of an Encroachment Permit for 1514-1518 McAllister Street and denying an Encroachment Permit.

MOVED, That pursuant to applicable provisions of Section 723.2 of the Public Works Code, the decision of the Department of Public Works by its Order No.173,518 dated May 15, 2002, revoking Minor Sidewalk Encroachment Permit No. O1MSE-327 granted to Fred Pavlow Co., Inc. (agent for property owners Nicola Miner and Robert Anderson), to construct a warped driveway with planters extending 3'-8 into the public sidewalk right-of-way fronting the property at 1514-1518 McAllister Street, Block 1155, Lot 004A, be and the same is hereby affirmed and the permit is denied.

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO
PUBLIC LIBRARY

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021092 **Date Passed:** June 24, 2002

Motion affirming the Department of Public Works' denial of an Encroachment Permit for 1514-1518 McAllister Street and denying an Encroachment Permit.

June 24, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021092

I hereby certify that the foregoing Motion was APPROVED on June 24, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

Gloria L. Young
Clerk of the Board

FILE NO. 021093 MOTION NO. M02-96

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO
PUBLIC LIBRARY

Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021093 **Date Passed:** June 24, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

June 24, 2002 Board of Supervisors — APPROVED
Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Maxwell, Yee
Absent: 5 - Leno, McGoldrick, Newsom, Peskin, Sandoval

File No. 021093

I hereby certify that the foregoing Motion was APPROVED on June 24, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT.
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

Gloria L. Young
Clerk of the Board

FILE NO. 021128 MOTION NO. M02-97

[Adopting findings related to the conditional use appeal on property located at 3224-3252 Pierce Street.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.1027CR (which authorized, subject to certain conditions, the mounting of six panel antennas on a replacement light pole and related equipment cabinets on an interior wall of the City-owned Marina Off-Street Parking Garage as part of a wireless telecommunications network to be operated by Metro PCS) within an NC-2 (Small Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets (Lots 009, 010, 011, 012 and 013 in Assessor's Block 0490).

The appellants, Madeline L. Camisa and Scott Dykes, filed a timely appeal on May 13, 2002, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional use Application No. 2001.1027CR, approved by Planning Commission Motion No. 16372 on April 11, 2002) to mount, subject to certain conditions imposed by the Planning Commission, a total of six panel antennas on a replacement light pole and related equipment cabinets on an interior wall of the City-owned Marina Off-Street Parking Garage) within an NC-2 (Small Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets (Lots 009, 010, 011, 012 and 013 in Assessor's Block 1028).

The applicant has not yet obtained a lease for the installation of its six proposed antennas on the City-owned Marina Off-Street Parking Garage.

The public hearing before the Board of Supervisors on said appeal was scheduled to

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO

be heard on June 10, 2002. On June 10, 2002, the Board of Supervisors granted a requested continuance of the hearing and consideration of this appeal to June 17, 2002. On June 17, 2002, the Board conducted a duly noticed hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on June 17, the Board disapproved the decision of the Planning Commission (Planning Commission No. 16372), and denied the issuance of requested Conditional Use Application No. 2001.1027CR.

In reviewing the appeal of the approval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16372, dated April 11, 2002, except as indicated below; and, be it

FURTHER MOVED, That the Board of Supervisors further took notice that the project was categorically exempt from environmental review as a Class I, 3 and 11 exemption under Title 14 of the California Administrative Code. The Board finds that there have been no substantial changes in project circumstances, and no new information of substantial importance that would change the determination of categorical exemption issued by the Planning Department; and, be it

FURTHER MOVED, That the Board of Supervisors finds that:

1. At the public hearing, and in documents submitted by the applicant, the applicant stated that the installation of these proposed antennas is necessary to meet the applicant's service demands within the geographic service area defined by the applicant. At the public hearing, however, the applicant was unable to demonstrate credibly that the proposed

facilities are necessary. The Planning Department Case Report and the testimony before the Board indicated that other potential sites for WTS antennas exist in the proximate neighborhood of this proposed site. Members of the public testified, overwhelmingly, that there was not a need for further wireless service in this neighborhood. Following further questions of the applicant's representatives by members of the Board of Supervisors, the Board determined that the written and oral information provided by the applicant was not persuasive or objectively verified, and did not establish that the proposed site is necessary to meet the community needs. Consistent with this finding, and based on the evidence presented and information contained in the application, the Board further determined that disapproving the decision of the Planning Commission by its Motion 16372, dated April 11, 2002, would not prohibit, or have the effect of prohibiting, the provision of personal wireless services in the area proximate to 3224-3252 Pierce Street.

2. The public testimony at the public hearing, and the public documentation submitted in support of the appellants' objections to the Planning Commission decision overwhelmingly supported appellants' position that there is no necessity for the proposed six panel antennas to be approved and installed for residential or business purposes in the neighborhood.

3. The public testimony at the public hearing, and the public documentation submitted in support of the appellants' objections to the Planning Commission decision overwhelmingly supported appellants' position that the location of the proposed six panel antennas at the proposed site will constitute a visual and industrial blight for the neighborhood.

4. Nothing in the record suggests that the Board's decision to disapprove the Planning Commission's decision in this case unreasonably discriminates against the applicant, and the Board, therefore, determined that disapproving the decision of the Planning Commission would not unreasonably discriminate in favor of providers of functionally equivalent services.

5. Nothing in the record suggests that the Board's decision to disapprove the Planning

Commission's decision in this case limits, or prohibits, access to WTS service in the area proximate to 3224-3252 Pierce Street.

6. Nothing in the record suggests that the Board's decision to disapprove the Planning Commission's decision in this case will limit or prohibit the filling of a significant gap in WTS services either in the form of limited access to network facilities by wireless users in the neighborhood, or interrupted communications of wireless users in the neighborhood.

7. The applicant has failed to show that the proposed antennas will fill an existing need for WTS services in the neighborhood, or that their proposal would be the least intrusive way to provide necessary services.

FURTHER MOVED, That based upon the findings made in the preceding paragraph, the Board of Supervisors finds that Finding 9 made by the Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas is not necessary or desirable for and compatible with the neighborhood or the community, and will only add an unnecessary and redundant service that will result in an additional intrusion of unnecessary, noticeable equipment into a neighborhood which includes a high proportion of residential property, that the placement of the antennas is not so located, designed and treated architecturally as to minimize their visibility from public places, that they intrude into public vistas and disrupt the architectural design integrity of buildings in the neighborhood, and that they are not in harmony with neighborhood character.

FURTHER MOVED, That the Board of Supervisors finds that Finding 10 made by the Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas is not in conformity with, and would not implement the policies of the City's General Plan, in that the installation of the proposed antennas will not further any of the objectives referred to by the Planning Commission.

FURTHER MOVED, That the Board of Supervisors finds that Finding 11 made by the

Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas: is not necessary to preserve and enhance existing neighborhood retail uses and preserve and enhance future opportunities for resident employment in and ownership of such businesses; will be detrimental to the existing housing and neighborhood character; will not preserve and enhance the City's supply of affordable housing; and will not add to the City's preparedness to protect against injury and loss of life in an earthquake.

FURTHER MOVED, That the Board of Supervisors finds that Finding 12 made by the Planning Commission was incorrect and without substantiation, and finds that the conditional use authorization would not promote the health, safety and welfare of the city, and will only add an unnecessary and redundant service that will result in an additional intrusion of unnecessary, noticeable equipment into a neighborhood which includes a high proportion of residential property.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion No. 16372, dated April 11, 2002, and denied the issuance of Conditional Use Application No. 2001.1027CR.

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 021128 **Date Passed:** June 24, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.1027CR (which authorized, subject to certain conditions, the mounting of six panel antennas on a replacement light pole and related equipment cabinets on an interior wall of the City-owned Marina Off-Street Parking Garage as part of a wireless telecommunications network to be operated by Metro PCS) within an NC-2 (Small Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 3224-3252 Pierce Street, east side between Lombard and Chestnut Streets (Lots 009, 010, 011, 012 and 013 in Assessor's Block 0490).

June 19, 2002 Board of Supervisors — REFERRED: Board of Supervisors

June 24, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

File No. 021128

I hereby certify that the foregoing Motion was APPROVED on June 24, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.
JUL 16 2002
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 021129 MOTION NO. M02-98

[Adopting findings related to the conditional use appeal on property located at 5200 Geary Boulevard.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional use Application No. 2002.0057C (which authorized, subject to certain conditions, the mounting of six panel antennas to an existing light pole on the upper deck of the three-level Geary Mall Parking Garage as part of a wireless telecommunications network) within an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 712.83 of the Planning Code for the proposed project located at 5200 Geary Boulevard, north side between 16 and 17th Avenues (Lot 045 in Assessor's Block 1448).

The appellant, Robert Blum, filed a timely appeal on May 20, 2002, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2002.0057C, approved by Planning Commission Motion No. 16382 on April 18, 2002) to mount, subject to certain conditions imposed by the Planning Commission, a total of six panel antennas to an existing light pole on the upper deck of the three-level Geary Mall Parking Garage, within an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 712.83 of the Planning Code for the proposed project located at 5200 Geary Boulevard, north side between 16th and 17th Avenues (Lot 045 in Assessor's Block 1448).

The San Francisco Planning Department adopted Wireless Telecommunications Services ("WTS") Facilities Siting Guidelines in August of 1996 ("Guidelines") to assist the Department in its consideration of applications for conditional use authorization to install WTS facilities. These Guidelines are not binding on the Board of Supervisors. The Guidelines establish location preferences for installation of WTS facilities throughout the City. The

DOCUMENTS DEPT.
JUL 23 2002
SAN FRANCISCO

location preferences set forth seven location categories, with category 1 being the most preferred sites and category 7 being the most disfavored sites. The property located at 5200 Geary Boulevard falls within category 4, as it is a wholly commercial structure within a NC-3 Zoning District. This site was previously considered by the applicant (Metro PCS) to be an alternate site to the applicant's preferred site at 4715 Geary Boulevard, but it was rejected as "not technically feasible" to provide the necessary coverage. Other proposed sites for location of the proposed antennas were considered by the applicant.

The public hearing before the Board of Supervisors on said appeal was scheduled to be heard on June 17, 2002. On June 17, 2002, the Board conducted a duly noticed hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing, the Board disapproved the decision of the Planning Commission (Planning Commission No. 16382), and denied the issuance of requested Conditional Use Application No. 2002.0057C.

In reviewing the appeal of the approval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16382, dated April 18, 2002, except as indicated below; and, be it

FURTHER MOVED, That the Board of Supervisors further took notice that the project was categorically exempt from environmental review as a Class I, 3 and 11 exemption under Title 14 of the California Administrative Code. The Board finds that there have been no substantial changes in project circumstances, and no new information of substantial importance that would change the determination of categorical exemption issued by the

Planning Department; and, be it

FURTHER MOVED, That the Board of Supervisors finds that:

1. At the public hearing, and in documents submitted by the applicant, the applicant stated that the installation of these proposed antennas is necessary to meet the applicant's service demands within the geographic service area defined by the applicant. At the public hearing, however, the applicant was unable to demonstrate credibly that the proposed facilities are necessary. No members of the public testified that there was a need for further wireless service in this neighborhood. Many members of the public testified that there was no need for further wireless services in the neighborhood. Following further questions of the applicant's representatives by members of the Board of Supervisors, the Board determined that the written and oral information provided by the applicant was not persuasive or objectively verified, and did not establish that the proposed site is necessary to meet the community needs. Consistent with this finding, and based on the evidence presented and information contained in the application, the Board further determined that disapproving the decision of the Planning Commission by its Motion 16382, dated April 18, 2002, would not prohibit, or have the effect of prohibiting, the provision of personal wireless services in the area proximate to 5200 Geary Boulevard.

2. The public testimony at the public hearing, and the public documentation submitted in support of the appellant's objections to the Planning Commission decision overwhelmingly supported appellant's position that there is no necessity for the proposed six panel antennas to be approved and installed for residential or business purposes in the neighborhood.

3. The public testimony at the public hearing, and the public documentation submitted in support of the appellant's objections to the Planning Commission decision overwhelmingly supported appellant's position that the location of the proposed six panel antennas at the proposed site will constitute a visual and industrial blight for the neighborhood.

4. Nothing in the record suggests that the Board's decision to disapprove the Planning Commission's decision in this case unreasonably discriminates against the applicant, and the Board, therefore, determined that disapproving the decision of the Planning Commission would not unreasonably discriminate in favor of providers of functionally equivalent services.

5. Nothing in the record suggests that the Board's decision to disapprove the Planning Commission's decision in this case limits, or prohibits, access to WTS service in the area proximate to 5200 Geary Boulevard.

6. Nothing in the record suggests that the area proximate to 5200 Geary Boulevard is not already served by at least one other wireless service provider. Nothing in the record suggest that the Board's decision to disapprove the Planning Commission's decision in this case will limit or prohibit the filling of a significant gap in WTS services either in the form of limited access to network facilities by wireless users in the neighborhood, or interrupted communications of wireless users in the neighborhood.

7. The applicant has failed to show that the proposed antennas will fill an existing need for WTS services in the neighborhood, or that their proposal would be the least intrusive way to provide necessary services.

FURTHER MOVED, That based upon the findings made in the preceding paragraph, the Board of Supervisors finds that Finding 9 made by the Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas is not necessary or desirable for and compatible with the neighborhood or the community, and will only add an unnecessary and redundant service that will result in an additional intrusion of unnecessary, noticeable equipment into a neighborhood which includes a high proportion of residential property and small businesses, that the placement of the antennas is not so located, designed and treated architecturally as to minimize their visibility from public places, that they intrude into public vistas and disrupt the architectural design integrity of buildings in

the neighborhood, and that they are not in harmony with neighborhood character.

FURTHER MOVED, That the Board of Supervisors finds that Finding 10 made by the Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas is not in conformity with, and would not implement the policies of the City's General Plan, in that the installation of the proposed antennas will not further any of the objectives referred to by the Planning Commission.

FURTHER MOVED, That the Board of Supervisors finds that Finding 11 made by the Planning Commission was incorrect and without substantiation, and finds that the installation of the proposed antennas: is not necessary to preserve and enhance existing neighborhood retail uses and preserve and enhance future opportunities for resident employment in and ownership of such businesses; will be detrimental to the existing housing and neighborhood character; will not preserve and enhance the City's supply of affordable housing; and will not add to the City's preparedness to protect against injury and loss of life in an earthquake.

FURTHER MOVED, That the Board of Supervisors finds that Finding 12 made by the Planning Commission was incorrect and without substantiation, and finds that the conditional use authorization would not promote the health, safety and welfare of the city, and will only add an unnecessary and redundant service that will result in an additional intrusion of unnecessary, noticeable equipment into a neighborhood which includes a high proportion of residential property.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion No. 16382, dated April 18, 2002, and denied the issuance of Conditional Use Application No. 2002.0057C.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021129 **Date Passed:** June 24, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional use Application No. 2002.0057C (which authorized, subject to certain conditions, the mounting of six panel antennas to an existing light pole on the upper deck of the three-level Geary Mall Parking Garage as part of a wireless telecommunications network) within an NC-3 (Moderate Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 712.83 of the Planning Code for the proposed project located at 5200 Geary Boulevard, north side between 16 and 17th Avenues (Lot 045 in Assessor's Block 1448).

June 19, 2002 Board of Supervisors — REFERRED: Board of Supervisors

June 24, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

File No. 021129

I hereby certify that the foregoing Motion was APPROVED on June 24, 2002 by the Board of Supervisors of the City and County of San Francisco.

DOCUMENTS DEPT.

JUL 16 2002

SAN FRANCISCO
PUBLIC LIBRARY

Gloria L. Young
Clerk of the Board

Amendment of the Whole
6/24/02

FILE NO. 020948 MOTION NO. M02-99

[Disapprove certification of San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project FSEIR]

Motion disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco; requesting that seven addition issues be addressed in a revised FSEIR.

WHEREAS, The San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project (collectively the "Projects") are proposed to be constructed at Piers 30-32, on Seawall Lot 330, and in the location of Piers 34 and 36 and consist of three principal components: a mixed-use/cruise terminal component proposed for Pier 30-32, a residential component proposed for Seawall Lot 330 (collectively "The Cruise Terminal Mixed Use Project"); and a public open space proposed for the locations of Piers 34 and 36 (the "Brannan Street Wharf Project"). The projects are situated just south of the Bay Bridge along The Embarcadero between Bryant and Townsend Streets; and

WHEREAS, The Port of San Francisco and San Francisco Cruise Terminal, LLC (collectively "the project sponsor") submitted an application for environmental review of the Projects on November 29, 2000 (City Planning File No. 2000.1223E); and

WHEREAS, The Planning Department for the City and County of San Francisco (the "Department") determined that a Supplemental Environmental Impact Report ("SEIR") was required to supplement the Waterfront Land Use Plan Final EIR (City Planning File No.

DOCUMENTS DEPT.
JUL 23 2002
SAN FRANCISCO
PUBLIC LIBRARY

94.115E, certified on January 9, 1997), and provided public notice of that determination by publication in a newspaper of general circulation on June 9, 2001; and

WHEREAS, On November 17, 2001, the Department published the Draft Supplemental Environmental Impact Report ("DSEIR") for the Projects; and

WHEREAS, On December 20, 2001, the Commission held a duly noticed public hearing on the DSEIR, at which time opportunity for public comment was received on the DSEIR, and written comments were received through January 16, 2002; and

WHEREAS, The Department prepared responses to comments on environmental issues received at the public hearing on the DSEIR and submitted in writing to the Department, prepared revisions to the text of the DSEIR, and corrected errors in the DSEIR, and published a Draft Summary of Comments and Responses on April 30, 2002; and

WHEREAS, A Final Supplemental Environmental Impact Report ("FSEIR") for the Projects was prepared by the Department, consisting of the DSEIR, all supporting studies and materials, any consultations and comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, and an errata thereto, all as required by law; and

WHEREAS, On May 9, 2002, the Commission reviewed and considered the FSEIR and, by Motion No. 16404, found that the contents of said report and the procedures through which the FSEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 16404, the Commission found (1) that the FSEIR is adequate, accurate and objective, and reflects the independent judgment and analysis of the Department and the Commission and that the Summary of Comments and Responses contained no significant revisions to the DSEIR; (2) adopted findings relating to significant

impacts associated with the Projects; and (3) certified the completion of the FSEIR in compliance with CEQA, the State CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated May 28, 2002, Bluewater Network filed a timely appeal of the FSEIR certification to the Board of Supervisors pursuant to Administrative Code Section 31.16(a); and

WHEREAS, The Board of Supervisors held a duly-noticed public hearing on June 24, 2002 to consider the appeal of the FSEIR; and

WHEREAS, The FSEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Planning Commission and the public; these files are available for public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before the Board of Supervisors; and

WHEREAS, This Board has reviewed and considered the FSEIR and the FSEIR files, and heard testimony and received public comment and written correspondence from the public and public agencies regarding the adequacy of the FSEIR; now, therefore, be it

MOVED, That this Board of Supervisors disapproves and reverses the certification of the FSEIR by the Planning Commission; and, be it

FURTHER MOVED, That the Board of Supervisors request that following issues be addressed in a revised FSEIR:

1. Respond to the comments of the State Lands Commission in its May 9th 2002 letter to the Planning Commission, and incorporate text corrections in the EIR where appropriate;

2. Strengthen the mitigation measure addressing ballast water impacts by having the project sponsor initiate and maintain a program to prohibit cruise ships from releasing unauthorized ballast water discharges into San Francisco Bay Under

requirements that are at least as protective as the requirements of California Public Resources Code Section 71200 et seq. (AB 703) and subsequent regulations applicable to cruise ships that pertain to the management of ballast water for the control of non-indigenous species. Expand the role of the working group identified in Mitigation Measure D.@ to review and evaluate new technologies for treating ballast water, if and when approved by federal and state agencies, and to make recommendations to the project sponsor for incorporation of and to make recommendations to the project sponsor for incorporation of such technologies into the project or imposition of requirements on cruise vessels in the future;

3. Include an improved explanation of the feasibility of the air quality mitigation measure suggested by commentors, including the Bay Area Air Quality Management District and Portside Neighborhood Committee;

4. Strengthen the air quality mitigations by expanding the role of the working group to establish specific criteria for adoption by the project sponsor, aimed at reducing the air quality impacts of cruise ships using the project. The role of the working group should also encompass review and recommendation to the project sponsor for adoption of expanded potential mitigation measures, and recommendation for adoption of fee incentive programs to reward cruise lines that meet or exceeds emissions reduction criteria. Such potential mitigation measures to be evaluated by the working group for adoption include (a) requiring ships to use low-sulfur diesel fuel while in port, (b) using technologies and fuels that reduce nitrogen oxide and PM emissions, (c) operational controls such as reduced speed on approach, and (d) requiring the project sponsor to contribute to programs that will result in the reduction of pollutants in the area;

5. Strengthen the mitigation for ship-related water quality to prohibit cruise ships from releasing any gray water, wastewater, or other hazardous material into San Francisco Bay;

6. Strengthen the discussion of TBT and its impacts in the EIR, using additional sources to illustrate the problem;

7. Strengthen the discussion of Whale strikes in the EIR, using additional sources such as National Marine Fisheries Services.

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 020948 Date Passed: June 24, 2002

Motion disapproving the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco; requesting that seven addition issues be addressed in a revised FSEIR.

June 24, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

June 24, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020948

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on June 24, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

DOCUMENTS DEPT.

JUL 16 2002

SAN FR
PUBL

41 Library
100 Larkin Street Govt Information Center

41 Library
100 Larkin Street Govt Information Center

FILE NO. 021164

As amended in Board
7/1/02
MOTION NO. M02-100

[Adopting findings related to the appeal of the Planning Commission's certification of the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project FSEIR.]

Motion adopting findings related to the disapproval of the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco.

The Board of Supervisors held a duly-noticed public hearing on June 24, 2002 to consider the appeal of the certification of the Final Supplemental Environmental Impact Report ("FSEIR") for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project ("Project"); and

The FSEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Planning Commission and the public; these files are available for public review by appointment at the Planning Department offices at 1660 Mission Street, and are part of the record before the Board of Supervisors; and

This Board has reviewed and considered the FSEIR and the FSEIR files, and heard testimony and received public comment and written correspondence from the public and public agencies regarding the adequacy of the FSEIR; and

This Board adopted Motion No. M02-99 disapproving certification of San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project FSEIR, and Motion No. M02-94 directing the Clerk to make findings disapproving certification, both now on file with the Clerk of the Board of Supervisors in File No. 020946, which are hereby declared to be a part of this motion as if set forth fully herein; and, now, therefore, be it

DOCUMENTS DEPT.

JUL 23 2002

SAN FRANCISCO
PUBLIC LIBRARY

MOVED, That this Board of Supervisors remands the FSEIR to the Planning Commission and the Planning Department for further action consistent with the Board's findings and;

MOVED, That the Board of Supervisors finds that the FSEIR for the Project is not in all portions adequate, accurate and objective ~~in all portions~~, that its conclusions are not in all portions correct ~~in all portions~~, and that the findings contained in the Planning Commission's certification are not in all portions correct ~~in all portions~~. The Board of Supervisors hereby directs the Planning Commission and Planning Department, to revise the FSEIR, as may be appropriate under CEQA, specifically as follows:

1. More fully respond ~~Incorporate~~ to the comments of the State Lands Commission in its May 9th 2002 letter to the Planning Commission, and incorporate text corrections in the SEIR ~~where appropriate as requested by State Lands Commission~~.

2. (a) Strengthen the mitigation measure addressing ballast water impacts by having the project sponsor initiate and maintain a program to prohibit cruise ships from releasing unauthorized ~~all~~ ballast water discharges into San Francisco Bay under requirements that are at least as protective as the requirements of California Public Resources Code Section 71200 et seq. (AB 703) and subsequent regulations applicable to cruise ships that pertain to the management of ballast water for the control of non-indigenous species.

(b) Expand the role of the working group identified in Mitigation Measure D.2 to review and evaluate new technologies for treating ballast water, if and when approved by federal and state agencies, and to make recommendations to the project sponsor for incorporation of such technologies into the project or imposition of requirements on cruise vessels in the future.

3. Include an improved explanation of the feasibility of cruise ship air quality mitigation measures suggested by ~~commentors, including~~ the appellants and the Bay Area Air Quality Management District ("BAAQMD") ~~and Portside Neighborhood Committee~~.

4. Strengthen the air quality mitigations by expanding the role of the working group to establish specific criteria for adoption by the project sponsor, ~~aimed at~~ that will reduce ~~ing~~ the air quality impacts of cruise ships using the project. The role of the working group should also encompass review and recommendation to the project sponsor for adoption of expanded ~~potential~~ mitigation measures, and recommendation for adoption of fee incentive programs to reward cruise lines that meet or exceed emissions reduction criteria. Such ~~potential~~ mitigation measures to be evaluated by the working group for adoption include (a) requiring ships to use low-sulfur diesel fuel while in port, (b) using technologies and fuels that reduce nitrogen oxide and PM emissions, (c) operational controls such as reduced speed on approach, and (d) requiring the project sponsor to contribute to programs that will result in the reduction of pollutants in the area.

5. Strengthen the mitigation for ship-related water quality to prohibit cruise ships from releasing any gray water, wastewater, or other hazardous material into San Francisco Bay~~, and the Farallons and Monterey Bay Marine Estuary~~.

6. Strengthen the discussion of TBT and its impacts in the EIR, using additional sources to illustrate the problem.

7. Strengthen the discussion of Whale strikes in the SEIR, using additional sources such as National Marine Fisheries Service and Water Transit Authority.

City and County of San Francisco
Tails
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Motion

File Number: 021164 **Date Passed:** July 1, 2002

Motion adopting findings related to the disapproval of the certification by the Planning Commission of the Final Supplemental Environmental Impact Report for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project located at Pier 30-32, Seawall Lot 330, and in the location of Piers 34 and 36, in the Port of San Francisco.

June 26, 2002 Board of Supervisors — REFERRED: Board of Supervisors

July 1, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 8 - Ammiano, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 3 - Daly, Gonzalez, Sandoval

July 1, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021164

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on July 1, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board